

Council Meeting Agenda

November 27, 2018

9:00 a.m.



ROCKY VIEW COUNTY
Cultivating Communities
262075 ROCKY VIEW POINT
ROCKY VIEW COUNTY, AB
T4A 0X2

PLEASE NOTE THAT THIS MEETING WILL BE HELD AT THE NEW COUNTY HALL:
262075 Rocky View Point, Rocky View County, AB

CALL MEETING TO ORDER

UPDATES/ACCEPTANCE OF AGENDA

A CONFIRMATION OF MINUTES

1. November 13, 2018 Council Meeting Page 4
2. November 15, 2018 Special Council Meeting Page 10

B FINANCIAL REPORTS - None

C APPOINTMENTS/PUBLIC HEARINGS

NOTE: As per Section 606(2)(a) of the *Municipal Government Act*, the Public Hearings were advertised in the Rocky View Weekly on October 30, 2018 and November 6, 2018.

MORNING APPOINTMENTS 10:00 A.M.

1. Division 9 – File: PL20180114 – Bylaw C-7839-2018 – Road closure to consolidate a portion of Parcel ‘B’ as shown on Plan 8732 H.X.

Staff Report

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2. Division 6 – File: PL20180053 (08515005/08515008/08515010) – Bylaw C-7828-2018 – Redesignation Item – Redesignation for Agricultural Purposes

Staff Report

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D GENERAL BUSINESS

1. All Divisions – File: 6070-175 – PPC Recommendations for Fall 2018 Regional Recreation Funding Applications

Staff Report

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2. All Divisions – File: 6060 – Fall 2018 District Community Recreation Funding Grant: Capital Funding Requests

Staff Report

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3. Division 9 – File: 1006-600 – Fall 2018 Friends of Westbrook School Capital Funding Application

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4. Division 5 – File: 1012-370 – Terms of Reference – Conrich Area Structure Plan Future Policy Area Review

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5. Division 8 – File: 1011-501 – Terms of Reference – Bearspaw Area Structure Plan Review

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6. Division 1 – File: 1011-534 – Terms of Reference – Bragg Creek Hamlet Expansion Strategy

Staff Report

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E BYLAWS

1. Division 5 – File: PL20170167 (04329188) – Consideration of Bylaw C-7784-2018 – Conrich Truck Facility

Staff Report

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2. Division 1 – File: 1025-700/1007-100 – Bylaw C-7843-2018 – Transfer of Lands to Rocky View County and Designation of Public Utility Lot

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3. All Divisions – File: 4060-100/5050-100 – Bylaw C-7844-2018 – Water/Wastewater Utilities Bylaw Amendment

Staff Report

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F UNFINISHED BUSINESS - None

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G COUNCIL REPORTS

H MANAGEMENT REPORTS

- None

I NOTICES OF MOTION

- None

J SUBDIVISION APPLICATIONS

1. Division 7 – File: PL20170030 (06516014) – Subdivision Item – Residential One District

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2. Division 6 – File: PL20180086 (08422002) – Subdivision Item – Industrial – Business Highway Frontage District

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3. Division 5 – File: PL20180094 (03331036) – Subdivision Item – Direct Control District Bylaw 76

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4. Division 7 – File: PL20180054 (07306001) – Subdivision Item – Industrial – Industrial Activity District; outside of a business area

Staff Report

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K COMMITTEE OF THE WHOLE/IN CAMERA

- None

ADJOURN THE MEETING

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
November 13, 2018

Page 1

A regular meeting of Rocky View County Council was held in the Council Chambers of the County Hall, 262075 Rocky View Point, Rocky View County, Alberta on November 13, 2018 commencing at 9:03 a.m.

Present:	Division 6	Reeve G. Boehlke
	Division 4	Deputy Reeve A. Schule
	Division 2	Councillor K. McKylor
	Division 3	Councillor K. Hanson
	Division 5	Councillor J. Gautreau
	Division 7	Councillor D. Henn
	Division 8	Councillor S. Wright
	Division 9	Councillor C. Kissel

Absent:	Division 1	Councillor M. Kamachi
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Also Present:

- R. McDonald, Interim County Manager
- K. Robinson, General Manager
- B. Riemann, General Manager
- S. Baers, General Manager
- A. Zaluski, Acting Manager, Planning Services
- S. MacLean, Planner, Planning Services
- P. Simon, Planner, Planning Services
- S. Kunz, Planner, Planning Services
- X. Deng, Planner, Planning Services
- J. Kwan, Planner, Planning Services
- C. Satink, Municipal Clerk, Legislative and Legal Services
- T. Andreasen, Legislative and Bylaw Coordinator, Legislative and Legal Services

Call to Order

The Chair called the meeting to order at 9:03 a.m. with all members present with all members present with the exception of Councillor Kamachi.

1-18-11-13-01

Updates/Acceptance of Agenda

MOVED by Councillor Henn that the November 13, 2018 Council meeting agenda be approved as presented.
Carried

1-18-11-13-02

Confirmation of Minutes

MOVED by Deputy Reeve Schule that the October 23, 2018 Organizational meeting minutes be accepted as presented;

AND that the October 23, 2018 Council meeting minutes be accepted as presented.

Carried

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1-18-11-13-09 (D-1)

All Divisions – 2018 Rocky View County Census Results

File: 0183

MOVED by Deputy Reeve Schule that the 2018 Rocky View County Census results be received for information.
Carried

MOTION ARISING:

MOVED by Councillor Gautreau that Council send a letter to the Minister of Municipal Affairs appealing the ruling from the Deputy Minister on Rocky View County's 2018 Census results.

Carried

1-18-11-13-10 (D-2)

Division 1 – Waiver of the waiting period for re-application of a Development Permit

File: PRDP20184056 (03904027)

MOVED by Councillor Hanson that the requirement of a six month waiting period for re-application under Section 16 of Land Use Bylaw C-4841-97 be waived by resolution.

Carried

The Chair called for a recess at 9:19 a.m. and called the meeting back to order at 10:00 a.m. with all previously mentioned members present.

1-18-11-13-03 (C-1)

Division 1 – Bylaw C-7829-2018 – Redesignation Item – Hamlet Residential Single Family District to Hamlet Commercial District and to add Distillery as a site-specific use

File: PL20180071 (03913059)

MOVED by Councillor Henn that the public hearing for item C-1 be opened at 10:00 a.m.

Carried

Person(s) who presented: John Hromyk, Banded Peak Ventures Inc.
Brett Schönekeess, Banded Peak Ventures Inc.

The Chair called for a recess at 10:38 a.m. and called the meeting back to order at 10:47 a.m. with all previously mentioned members present.

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: Teri Singer
Wayne Whillier

Person(s) who spoke in rebuttal: Brett Schönekeess, Banded Peak Ventures Inc.

MOVED by Councillor McKylor that the public hearing for item C-1 be closed at 11:06 a.m.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7829-2018 be given first reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7829-2018 be given second reading.

Carried

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MOVED by Councillor Henn that Bylaw C-7829-2018 be considered for third reading.

Carried

MOVED by Councillor Hanson that Bylaw C-7829-2018 be given third and final reading.

Carried

1-18-11-13-04 (C-2)

Division 5 – Bylaw C-7812-2018 – Redesignation Item – Agricultural Holdings District to Industrial – Industrial Activity District

File: PL20180017 (04227009)

MOVED by Councillor Gautreau that the public hearing for item C-2 be opened at 11:10 a.m.

Carried

Person(s) who presented: Tom Lanz, Rickland Construction, Applicant

Person(s) who spoke in favour: Bev Porter
Larry Miller

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Gautreau that the public hearing for item C-2 be closed at 11:47 a.m.

Carried

MOVED by Councillor Gautreau that application PL20180017 be refused.

Carried

In Favour:

Councillor McKylor
Councillor Hanson
Councillor Gautreau
Reeve Boehlke
Councillor Wright
Councillor Kissel

Opposed:

Deputy Reeve Schule
Councillor Henn

The Chair called for a recess at 12:05 p.m. and called the meeting back to order at 12:10 p.m. with all previously mentioned members present.

MOTION ARISING:

MOVED by Councillor Gautreau that Administration be directed to work with the applicants to submit a development permit application for a Home Based Business Type II and:

- a) waive any development permit application fees for Lot 4, Block 4, Plan 0312137; and
- b) waive any appeal fees under the *Master Rates Bylaw*.

Carried

The Chair called for a recess at 12:18 p.m. and called the meeting back to order at 1:30 p.m. with all previously mentioned members present with the exception of Councillor Hanson.

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1-18-11-13-05 (C-3)

Division 7 – Bylaw C-7727-2017 – Conceptual Scheme – Calterra Estates Conceptual Scheme Amendment
File: PL20170150 (06516014)

1-18-11-13-06 (C-4)

Division 7 – Bylaw C-7831-2018 – Redesignation Item – Residential Two District to Residential One District
File: PL20180091 (06516014)

MOVED by Councillor Henn that the public hearing for items C-3 and C-4 be opened concurrently at 1:31 p.m.
Carried
Absent: Councillor Hanson

Councillor Hanson returned to the meeting at 1:32 p.m.

Person(s) who presented: Terry Ohlhauser, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Henn that the public hearing for items C-3 and C-4 be closed at 1:47 p.m.
Carried

MOVED by Councillor Henn that Bylaw C-7727-2017 be given first reading.
Carried

MOVED by Councillor McKylor that Bylaw C-7727-2017 be given second reading.
Carried

MOVED by Councillor Gautreau that Bylaw C-7727-2017 be considered for third reading.
Carried

MOVED by Councillor Henn that Bylaw C-7727-2017 be given third and final reading.
Carried

MOVED by Councillor Henn that Bylaw C-7831-2018 be given first reading.
Carried

MOVED by Councillor McKylor that Bylaw C-7831-2018 be given second reading.
Carried

MOVED by Deputy Reeve Schule that Bylaw C-7831-2018 be considered for third reading.
Carried

MOVED by Councillor Henn that Bylaw C-7831-2018 be given third and final reading.
Carried

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1-18-11-13-07 (C-5)

Division 2 – Bylaw C-7806-2018 – Redesignation Item – Residential Two District to Residential One District - Hillcrest Estates

File: PL20180065 (04721021)

MOVED by Councillor McKylor that the public hearing for item C-5 be opened at 1:50 p.m.

Carried

The Chair called for a recess at 1:50 p.m. and called the meeting back to order at 1:53 p.m. with all previously mentioned members present.

Person(s) who presented: Kate Beatson, Kellam Berg Engineering & Surveys Ltd., Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor McKylor that the public hearing for item C-5 be closed at 2:04 p.m.

Carried

MOVED by Councillor McKylor that Bylaw C-7806-2018 be given first reading.

Carried

MOVED by Councillor Gautreau that Bylaw C-7806-2018 be given second reading.

Carried

MOVED by Councillor Hanson that Bylaw C-7806-2018 be considered for third reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7806-2018 be given third and final reading.

Carried

1-18-11-13-08 (C-6)

Division 5 – Bylaw C-7784-2018 – Redesignation Item – Ranch and Farm Three District to Agriculture Holdings District and Business – Industrial Campus District

File: PL20170167 (04329188)

MOVED by Councillor Gautreau that the public hearing for item C-6 be opened at 2:06 p.m.

Carried

MOVED by Councillor Gautreau that the late submission for item C-6 be accepted.

Carried

In Favour:

Councillor McKylor
Councillor Hanson
Councillor Gautreau
Deputy Reeve Schule
Councillor Henn
Councillor Wright
Councillor Kissel

Opposed:

Reeve Boehlke

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Person(s) who presented: Steve Grande, Terradigm Developments Consultants Inc., Applicant

The Chair called for a recess at 3:12 p.m. and called the meeting back to order at 3:23 p.m. with all previously mentioned members present.

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Gautreau that the public hearing for item C-6 be closed at 3:25 p.m.

Carried

MOVED by Councillor Gautreau that Council concludes that the proposed development is consistent with the Conrich Area Structure Plan policies.

Lost

In Favour:

Councillor McKylor
Councillor Gautreau
Deputy Reeve Schule
Councillor Henn

Opposed:

Councillor Hanson
Reeve Boehlke
Councillor Wright
Councillor Kissel

The Chair called for a recess at 3:34 p.m. and called the meeting back to order at 3:38 p.m. with all previously mentioned members present.

MOVED by Councillor Gautreau that redesignation application PL20170167 be tabled until the November 15, 2018 Special Council Meeting.

Carried

Adjournment

MOVED by Councillor McKylor that the November 13, 2018 Council meeting be adjourned at 3:39 p.m.

Carried

REEVE

CAO or Designate

ROCKY VIEW COUNTY
SPECIAL COUNCIL MEETING MINUTES
November 15, 2018

Page 1

A special meeting of Rocky View County Council was held in the Council Chambers of the County Hall, 262075 Rocky View Point, Rocky View County, Alberta on November 15, 2018 commencing at 9:00 a.m.

Present:	Division 6	Reeve G. Boehlke (arrived at 10:37 a.m.)
	Division 4	Deputy Reeve A. Schule
	Division 2	Councillor K. McKylor
	Division 3	Councillor K. Hanson
	Division 5	Councillor J. Gautreau
	Division 7	Councillor D. Henn
	Division 8	Councillor S. Wright
	Division 9	Councillor C. Kissel

Absent:	Division 1	Councillor M. Kamachi
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Also Present:

- R. McDonald, Interim County Manager
- K. Robinson, General Manager
- B. Riemann, General Manager
- S. Baers, General Manager
- A. Zaluski, Acting Manager, Planning Services
- J. Anderson, Planner, Planning Services
- O. Newmen, Planner, Planning Services
- S. Kunz, Planner, Planning Services
- M. Ferris, Customer Support Representative, Engineering Services
- C. Satink, Deputy Municipal Clerk, Legislative and Legal Services
- T. Andreasen, Legislative and Bylaw Coordinator, Legislative and Legal Services

Call to Order

Deputy Reeve Schule assumed the Chair and called the meeting to order at 9:00 a.m. with all members present with the exception of Reeve Boehlke and Councillor Kamachi.

1-18-11-15-01

Updates/Acceptance of Agenda

MOVED by Councillor Gautreau that the November 15, 2018 special Council meeting agenda be approved as presented.

Carried
Absent: Reeve Boehlke

1-18-11-15-02 (C-1)

Division 5 – Bylaw C-7817-2018 – Conceptual Scheme Item – Heatherglen Industrial Business Park
Conceptual Scheme
File: File: PL20180023 (03329002)

1-18-11-15-03 (C-2)

Division 5 – Bylaw C-7818-2018 – Redesignation Item – Recreation Business District to Direct Control
District
File: PL20180022 (03329002)

MOVED by Councillor Gautreau that the public hearing for items C-1 and C-2 be opened concurrently at 9:01 a.m.

Carried
Absent: Reeve Boehlke

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Person(s) who presented: Scott Atkinson, Heather Glen Land Company Ltd., Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Gautreau that the public hearing for items C-1 and C-2 be closed at 9:26 a.m.

Carried
Absent: Reeve Boehlke

The Chair called for a recess at 9:25 a.m. and called the meeting back to order at 9:41 a.m. with all previously mentioned members present.

MOVED by Councillor Gautreau that Bylaw C-7817-2018 be given first reading.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Henn that Bylaw C-7817-2018 be given second reading.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Hanson that Bylaw C-7817-2018 be considered for third reading.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Gautreau that Bylaw C-7817-2018 be given third and final reading.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Gautreau that section 1.4 of Bylaw C-7818-2018 be amended to read as follows:

- 1.4 Administration is the Development Authority and shall consider and decide on applications for Development Permits for all uses listed by this Bylaw.

AND that a new subsection 1.4.1 be added to Bylaw C-7818-2018 that reads as follows:

- 1.4.1 For Lots 9, 10, and 11, Council is the Development Authority and shall consider and decide on applications for Development Permits for all uses listed by this Bylaw.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Gautreau that Bylaw C-7818-2018 be given first reading as amended.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Henn that Bylaw C-7818-2018 be given second reading as amended.

Carried
Absent: Reeve Boehlke

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MOVED by Councillor McKylor that Bylaw C-7818-2018 be considered for third reading as amended.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Gautreau that Bylaw C-7818-2018 be given third and final reading as amended.

Carried
Absent: Reeve Boehlke

1-18-11-15-04 (C-3)

Division 8 – Bylaw C-7830-2018 – Redesignation Item – Residential Two District to Residential One District
File: PL20180038 (06713016)

MOVED by Councillor Wright that the public hearing for item C-3 be opened at 9:47 a.m.

Carried
Absent: Reeve Boehlke

Person(s) who presented: Stephanie D'Hondt, Applicant
Brandon D'Hondt, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Wright that the public hearing for item C-3 be closed at 9:57 a.m.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Wright that the requirement for application PL20180038 to prepare a Conceptual Scheme be waived.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Wright that Bylaw C-7830-2018 be given first reading.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Gautreau that Bylaw C-7830-2018 be given second reading.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Henn that Bylaw C-7830-2018 be considered for third reading.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Wright that Bylaw C-7830-2018 be given third and final reading.

Carried
Absent: Reeve Boehlke

The Chair called for a recess at 9:59 a.m. and called the meeting back to order at 10:10 a.m. with all previously mentioned members present.

ROCKY VIEW COUNTY
SPECIAL COUNCIL MEETING MINUTES
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1-18-11-15-05 (C-4)

Division 8 – Bylaw C-7798-2018 – Redesignation Item – Ranch and Farm District to Agricultural Holdings District

File: PL20180042 (06608003)

MOVED by Councillor Wright that the public hearing for item C-4 be opened at 10:10 a.m.

Carried
Absent: Reeve Boehlke

Person(s) who presented: Norman Kent, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Wright that the public hearing for item C-4 be closed at 10:30 a.m.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Wright that Council sets aside section 8.18 of the County Plan and section 8.1.22 of the Bearspaw Area Structure Plan.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Wright that Bylaw C-7798-2018 be given first reading.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Kissel that Bylaw C-7798-2018 be given second reading.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Henn that Bylaw C-7798-2018 be considered for third reading.

Carried
Absent: Reeve Boehlke

MOVED by Councillor Wright that Bylaw C-7798-2018 be given third and final reading.

Carried
Absent: Reeve Boehlke

The Chair called for a recess at 10:37 a.m.

Reeve Boehlke returned to the meeting at 10:37 a.m. Deputy Reeve Schule vacated the Chair and Reeve Boehlke assumed the Chair.

The Chair called the meeting back to order at 10:42 p.m. with all previously mentioned members present.

ROCKY VIEW COUNTY
SPECIAL COUNCIL MEETING MINUTES
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1-18-11-15-06 (C-5)

Division 2 – Bylaw C-7826-2018 – Road closure to consolidate a portion of Road shown on Plan 741 0359
File: PL20180075

MOVED by Councillor McKylor that the public hearing for item C-5 be opened at 10:42 a.m.

Carried

Person(s) who presented: Bruce Kendall, on behalf of the Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor McKylor that the public hearing for item C-5 be closed at 10:47 a.m.

Carried

MOVED by Councillor McKylor that Bylaw C-7826-2018 be given first reading.

Carried

MOVED by Councillor McKylor that Administration be directed to forward Bylaw C-7826-2018 to the Minister of Transportation for approval.

Carried

1-18-11-15-07 (C-6)

Division 2 – Bylaw C-7825-2018 – Road closure to consolidate 2 portions of Road Adjacent to Mountain River Estates
File: PL20180074

MOVED by Councillor McKylor that the public hearing for item C-6 be opened at 10:48 a.m.

Carried

Person(s) who presented: Eric Herget, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor McKylor that the public hearing for item C-6 be closed at 10:57 a.m.

Carried

MOVED by Councillor McKylor that Bylaw C-7825-2018 be given first reading.

Carried

MOVED by Councillor McKylor that Administration be directed to forward Bylaw C-7825-2018 to the Minister of Transportation for approval.

Carried

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SPECIAL COUNCIL MEETING MINUTES
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Adjournment

MOVED by Deputy Reeve Schule that the November 15, 2018 special Council meeting be adjourned at 10:59 a.m.

Carried

REEVE

CAO or Designate

ENGINEERING SERVICES

TO: Council

DATE: November 27, 2018 **DIVISION:** 9

TIME: Morning Appointment

FILE: PL20180114

SUBJECT: Road closure to consolidate a portion of Parcel 'B' as shown on Plan 8732 H.X.

POLICY DIRECTION:

The road closure application was evaluated against Rocky View County Policy #443, *Road Allowance Closure and Disposal*, and the *Municipal Government Act* and was found to be compliant:

- This portion of road allowance is not part of the County's 30 Year Long Range Transportation Network Plan (LRTNP) nor does Administration have any plans to construct within the road allowance;
- This closure and consolidation would not restrict access to any parcels nor would it create any landlocked parcels.

Road Closure Bylaw C-7839-2018 has been prepared in accordance with the *Municipal Government Act* and guidelines provided by Alberta Transportation.

EXECUTIVE SUMMARY:

This report is to consider the closure for consolidation of a 0.10 acre portion of undeveloped road shown as Parcel 'B' on Plan 8732 H.X. This portion is located adjacent to the NW-33-26-05-W5M, If successful it would be consolidated with the applicant's adjacent lands, Block 1, Plan 901 1322.

Council has the authority to complete Road Closures by Bylaw under Section 22 of the *Municipal Government Act (MGA)*. Administration only requires first reading of Bylaw C-7839-2018 (see Attachment 'A') at this time as per Section 22(3) of the *MGA*, which states that approval must be granted by the Minister of Transportation prior to a Road Closure Bylaw receiving second reading.

DISCUSSION:

The Applicants Frederik Serfranckx and Fiona Verlinde previously applied for the closure and consolidation of the portion shown as Parcel 'B' on Plan 8732 H.X. through file PL20130023. Bylaw C-7358-2015 was given 3rd reading on November 24th, 2015 and Administration completed the closure and land sale in December 2016. The applicant then proceeded with the consolidation in early 2018 and it was brought to Administrations attention by the assisting survey company that a 0.10 acre portion of Plan 8732 H.X. was actually not described correctly and therefore not included in the original closure bylaw. The parcel was incorrectly described due to a difference in the quarter sections that Parcel B is part of. Administration only included NE-32 and the 0.10 acre portion was determined to actually be located adjacent to the NW-33. To rectify this error and to complete the closure as was originally intended, we require Bylaw C-7839-2018 to close the remaining portion of Parcel B. Attachment 'B' identifies the location within the County, the Road Closure Proposal, Land Use Map, Air Photo and Landowner Circulation Area.

¹**Administration Resources**

Angela Pare, Support Technician, Engineering Services



This portion of road allowance is not part of the 30 Year Long Range Transportation Network Plan and this closure and consolidation would not restrict or deny access to any adjacent parcels, nor does it create any landlocked parcels. This application was circulated in accordance with the *Municipal Government Act* and administration received no concerns of note by internal/external agencies, and no easements are required.

DATE APPLICATION RECEIVED: October 1, 2018

PROPOSAL: To close for the purpose of consolidation a 0.10 Acre portion of Parcel 'B' road allowance shown on Plan 8732 H.X. located at the North West corner of NW-33-26-05-W05M. This portion was originally to be closed by Bylaw C-7358-2018, but was not included as it was incorrectly described.

APPLICANT: Serfranckx, Frederik and Verlinde, Fiona

OWNER: The Crown in Right of Alberta

GROSS AREA: 0.10 Acres or 0.040 Hectares

ADJACENT LANDOWNERS: This application was circulated to 11 landowners. No letters of opposition and 1 letter of support were received from the adjacent landowner notifications at the initial time of Circulation (October 2nd, to October 26th, 2018). This can be found in Attachment 'C'

OPTIONS:

- | | | |
|-----------|--|--|
| Option #1 | Motion #1 | THAT Bylaw C-7839-2018 be given first reading. |
| | Motion #2 | THAT Administration be directed to forward Bylaw C-7839-2018 to the Minister of Transportation for approval. |
| Option #2 | THAT the application by Frederik Serfranckx and Fiona Verlinde to close for consolidation, a 0.10 acre portion of Parcel 'B' road allowance as shown on Plan 8732 H.X. be refused. | |
| Option #3 | THAT Council provide alternative direction. | |

Respectfully submitted,

Concurrence,

Byron Riemann

Rick McDonald

General Manager
Infrastructure & Operations Services

Interim County Manager

AP

ATTACHMENTS:

- Attachment 'A' – Proposed Bylaw C-7839-2018
- Attachment 'B' – Map Package
- Attachment 'C' – Landowner Response

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No comments received
Calgary Catholic School District	Not required for circulation
Public Francophone Education	Not required for circulation
Catholic Francophone Education	Not required for circulation
<i>Province of Alberta</i>	
Alberta Environment	No comments received
Alberta Transportation	Must be closed by Bylaw. Package will be reviewed after 1 st reading.
Alberta Sustainable Development (Public Lands)	No comments received
Alberta Culture and Community Spirit (Historical Resources)	No comments received
Energy Resources Conservation Board	No comments received
Alberta Health Services	No concerns with the information provided
<i>Public Utility</i>	
ATCO Gas	No objections, no easement required
ATCO Pipelines	No objections, no easement required
AltaLink Management	No comments received
FortisAlberta	No objections, no easement required
Telus Communications	No objections, no easement required
Shaw Cablesystems G.P.	No comments received
TransAlta Utilities Ltd.	No comments received
Rockyview Gas Co-op Ltd.	No comments received
<i>Other External Agencies</i>	
Town of Cochrane	No comments or objections
Tsuut'ina Nation	Not required for circulation



AGENCY	COMMENTS
<i>Rocky View County</i>	
<i>Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldmen	No comments received
Bow North Recreation Board	No comments received
<i>Internal Departments</i>	
Municipal Lands	No concerns with this application as it does not affect current or planned parks, open space or active transportation networks.
Agricultural & Environmental Services	No agricultural concerns
Development Authority	No comments or concerns
GeoGraphics	No comments received
Building Services	No comments received
Emergency/Enforcement Services	No comments received
Fire Services	No comments received
Infrastructure and Operations-Engineering Services	No objections, comments or concerns
Infrastructure and Operations-Maintenance	No concerns
Infrastructure and Operations-Capital Delivery	No concerns
Infrastructure and Operations-Operations	No concerns
Agriculture and Environmental Services - Solid Waste and Recycling	No comments received

Circulation Period: October 2nd to October 26th, 2018



BYLAW C-7839-2018

A Bylaw of Rocky View County in the Province of Alberta for the Purpose of closing to public travel and creating title to portions of public highway in accordance with Section 22 of the Municipal Government Act, Chapter M26.1, Revised Statutes of Alberta 2000, as amended.

The Council of Rocky View County enacts as follows:

WHEREAS

The lands hereafter described are no longer required for public travel; and

WHEREAS

Application has been made to Council to have the highway closed; and

WHEREAS

Rocky View County Council deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads, or portions thereof, situated in the said municipality, and therefore disposing of the same; and

WHEREAS

Notice of the intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act, and was published in the Rocky View Weekly on Tuesday October 30th, 2018 and Tuesday November 6th, 2018, the last of such publications being at least one week before the day fixed for the Public Hearing of this Bylaw; and

WHEREAS

Rocky View County Council was not petitioned for an opportunity to be heard by any person claiming to be prejudicially affected by the bylaw.

NOW THEREFORE BE IT RESOLVED that the Council of Rocky View County in the Province of Alberta does hereby close to public travel for the purpose of creating title to the following described highway. Subject to the rights of access granted by other legislation:

ALL THAT PORTION OF THE INTERSECTION OF THE INTERVENING NORTH-SOUTH AND EAST-WEST ORIGINAL GOVERNMENT ROAD ALLOWANCE WITHIN PARCEL 'B' ON PLAN 8732 H.X. WHICH LIES WITHIN PLAN _____ CONTAINING 0.10 ACRES (0.040 HA) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS

Division: 9
File: PL20180114

PUBLIC HEARING WAS HELD IN COUNCIL this _____ DAY OF _____, 20____

READ A FIRST TIME IN COUNCIL this _____ DAY OF _____, 20____

REEVE / DEPUTY REEVE

CAO or DESIGNATE

APPROVED BY
ALBERTA TRANSPORTATION:

APPROVED THIS _____ DAY OF _____, 20____

Approval Valid for _____ Months

MINISTER OF TRANSPORTATION

READ A SECOND TIME IN COUNCIL this _____ DAY OF _____, 20____

READ A THIRD TIME IN COUNCIL this _____ DAY OF _____, 20____

REEVE / DEPUTY REEVE

CAO or DESIGNATE

SCHEDULE 'A'



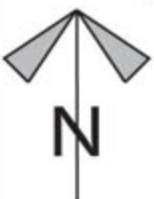


LOCATION PLAN

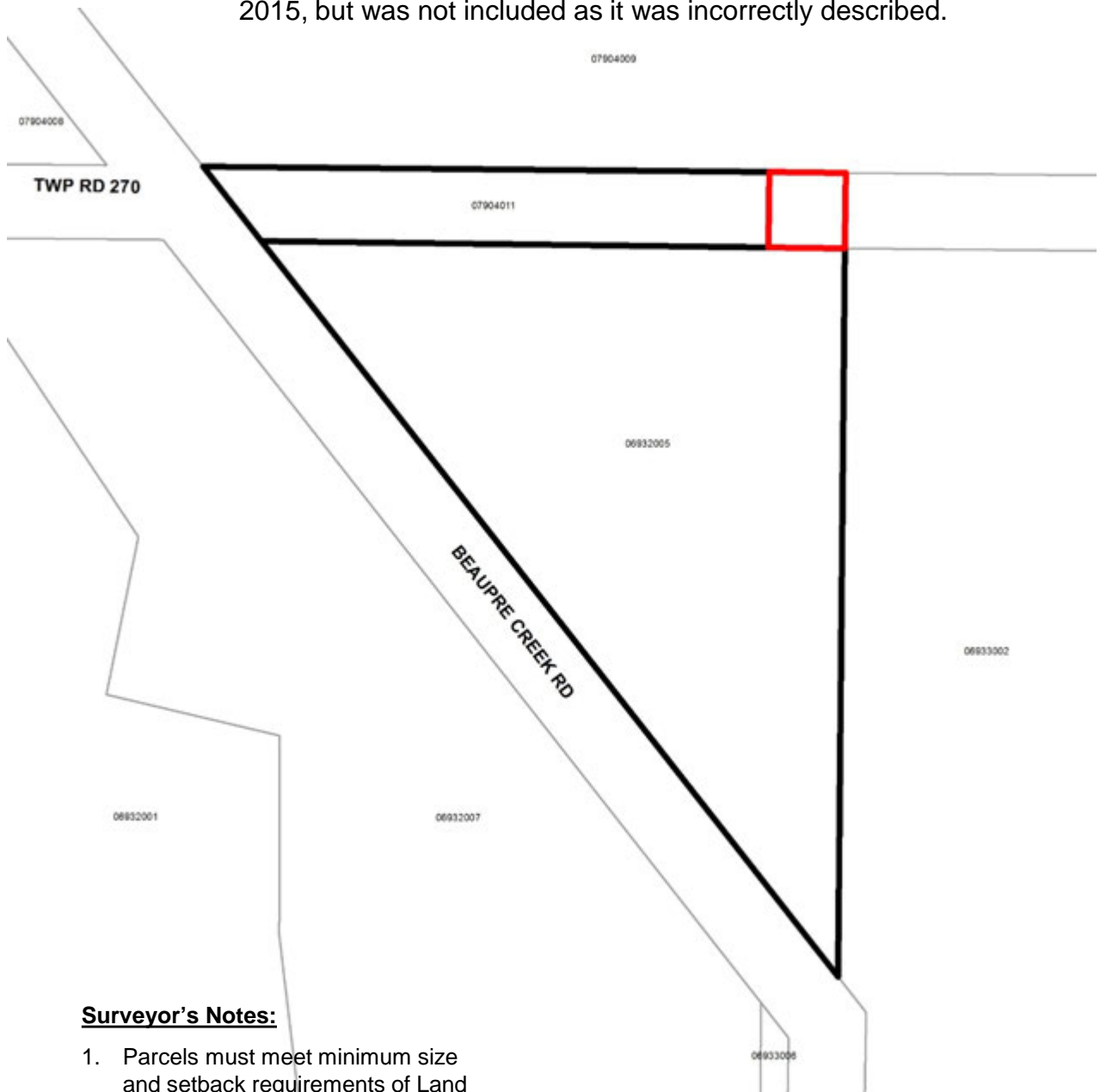
**SW-04-27-05-W05M Lot:B Plan:8732HX &
NE-32-26-05-W05M Block:1 Plan:9011322**

AGENDA

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ROAD CLOSURE PROPOSAL: To Close for the purpose of Consolidation, a 0.10 acre of "Parcel B" as shown on Plan 8732 H.X. located at the North West Corner of NW-33-26-05-W05M. This portion was originally to be closed by Bylaw C-7358-2015, but was not included as it was incorrectly described.



Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

ROAD CLOSURE PROPOSAL

**SW-04-27-05-W05M Lot:B Plan:8732HX &
NE-32-26-05-W05M Block:1 Plan:9011322**

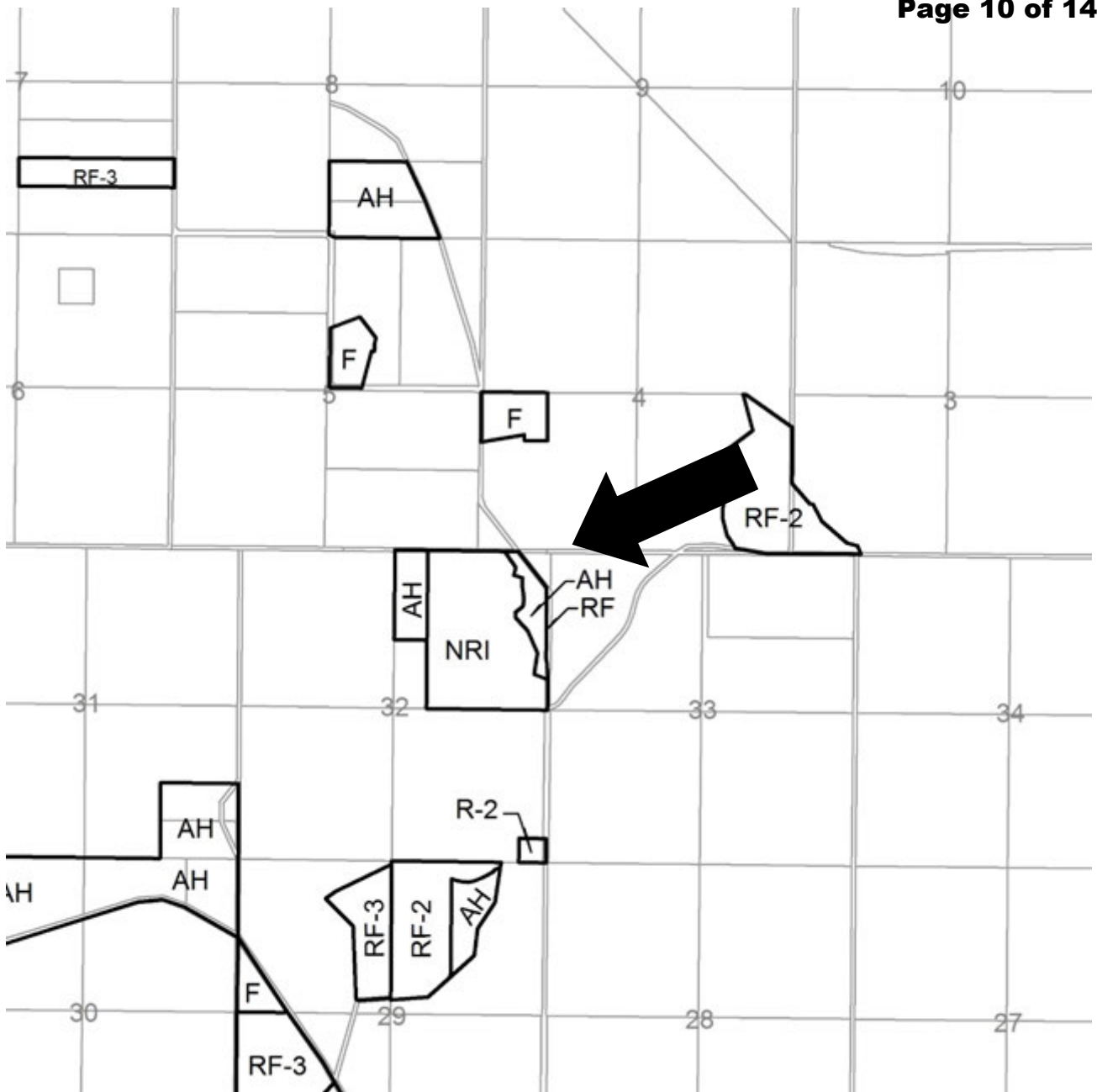
Date: Oct 1, 2018

Division # 9

File: PL20180114

AGENDA

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Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

LAND USE MAP

**SW-04-27-05-W05M Lot:B Plan:8732HX &
NE-32-26-05-W05M Block:1 Plan:9011322**



Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2016

**SW-04-27-05-W05M Lot:B Plan:8732HX &
NE-32-26-05-W05M Block:1 Plan:9011322**

Date: Oct 1, 2018

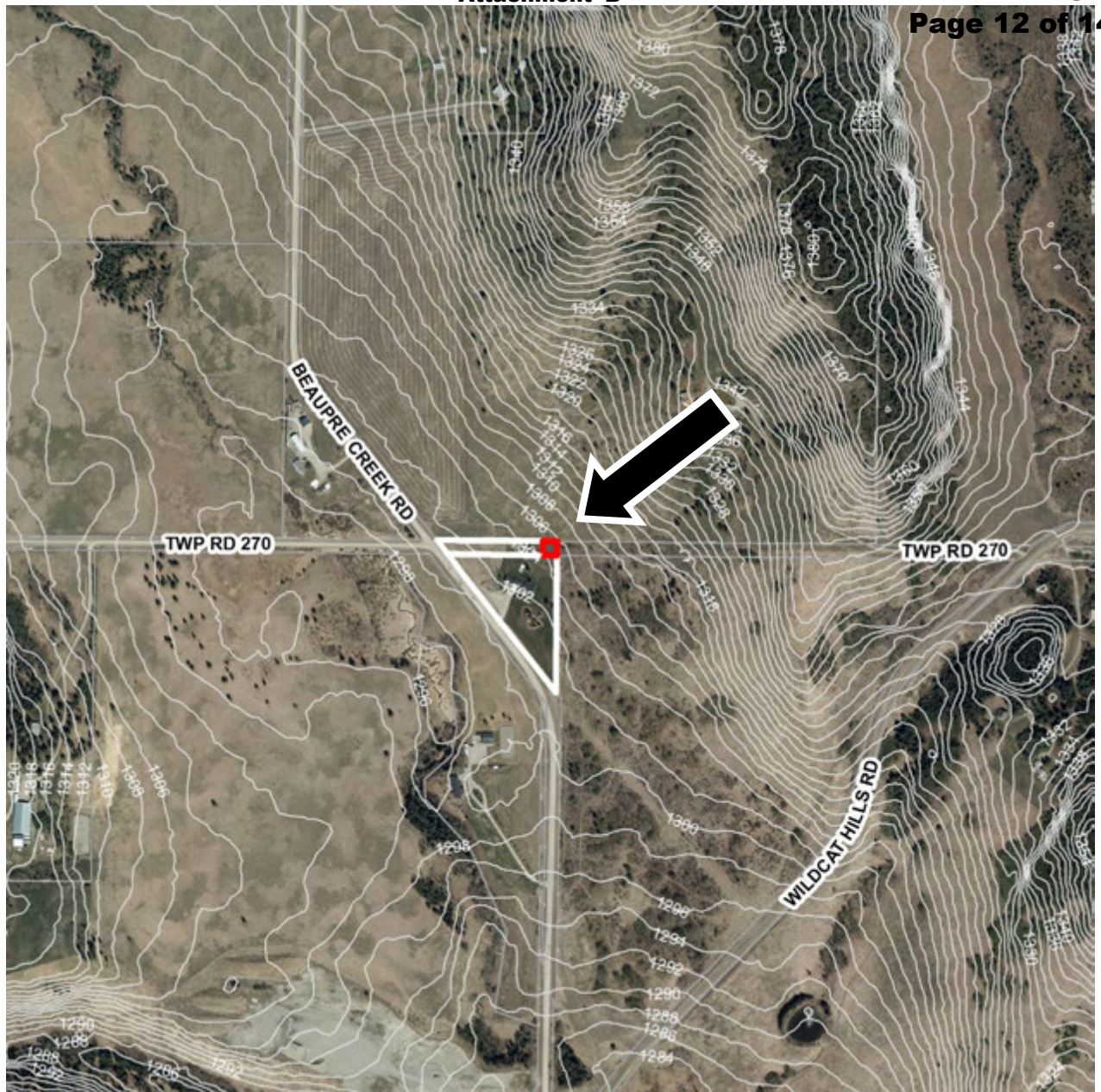
Division # 9

File: PL20180114

AGENDA

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Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY

Contour Interval 2 M



**SW-04-27-05-W05M Lot:B Plan:8732HX &
NE-32-26-05-W05M Block:1 Plan:9011322**

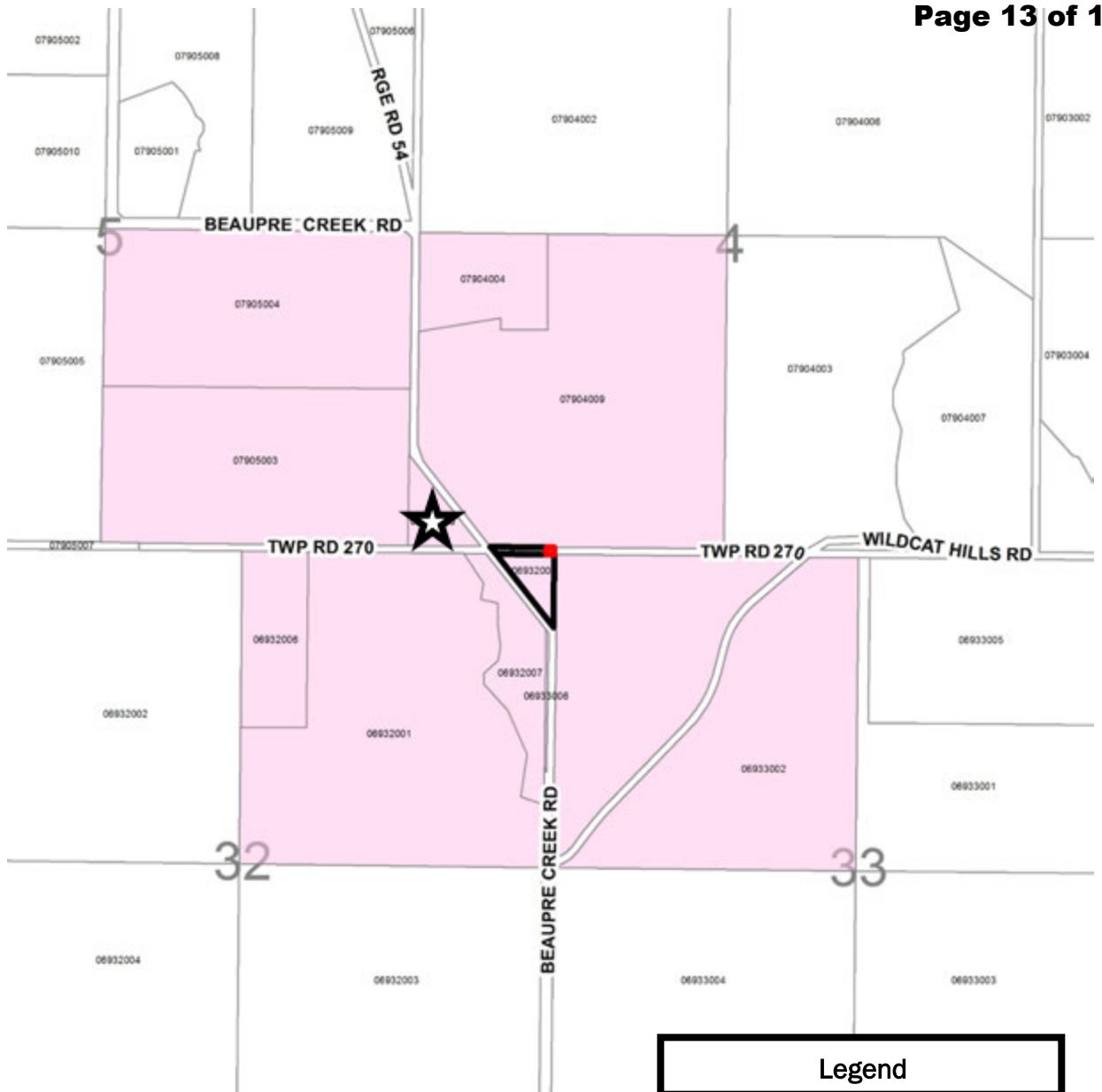
Date: Oct 1, 2018

Division # 9

File: PL20180114

AGENDA

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Letters in Opposition



Letters in Support

LANDOWNER CIRCULATION AREA

SW-04-27-05-W05M Lot:B Plan:8732HX &
NE-32-26-05-W05M Block:1 Plan:9011322

262075 Rocky View Point
Rocky View County, AB, T4A 0X2



ROCKY VIEW COUNTY
Engineering Services

403-230-1401
questions@rockyview.ca
www.rockyview.ca

ROAD ALLOWANCE RESPONSE FORM

FILE NUMBER: PL20180114

DESCRIPTION: To Close for the purpose of Consolidation, a 0.10 Acre of "Parcel B" as shown on Plan 8732 H.X. located at the North west corner of NW-33-26-05-W05M. This portion was originally to be closed by Bylaw C-7358-2015, but was not included as it was incorrectly described.

GENERAL LOCATION: NW-33-26-5-W5M
0.10 Acres of Plan 8732 H.X.

APPLICANT: Verlinde, Fiona & Serfranckx, Frederick

OWNER: The Crown in right of Alberta

GROSS AREA: 0.10 acres, to be confirmed by plan of survey

I, Casey Charchun, the owner of 270025 Bearpre Creek Rd.

and/or	<u>SW04</u>	<u>27</u>	<u>05</u>	<u>05</u>	W__M
	Qtr	Sec	Twp	Rge	

Support or Oppose

this proposed road closure for consolidation purposes.

Comments:

Signature

Oct 8/18

Date

PLANNING SERVICES

TO: Council
DATE: November 27, 2018 **DIVISION:** 6
TIME: Morning Appointment
FILE: 08515005, 08515008, and 08515010 **APPLICATION:** PL20180053
SUBJECT: Redesignation Item – to redesignate for agricultural purposes

¹POLICY DIRECTION:

The proposed land use amendment is consistent with the County Plan policies for the following reasons:

- The proposal is consistent with the overall goal of the County Plan with respect to agriculture and preserving agricultural land, as portions of the lands are to be designated from residential to agricultural;
- The application is consistent with the definition of New or Distinct Agricultural Operations as defined by the County Plan;
- The application is consistent with the criteria of County Plan Policy 8.18, which specifies the policies under which the redesignation may be supported as a new or distinct operation; and
- Any technical aspects of the proposal can be adequately addressed through the related subdivision application and any future Development Permits.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate portions of three existing parcels to accommodate a reconfiguration of the subject parcels. The three parcels are currently designated Ranch and Farm District, Ranch and Farm Three District, and Residential Two District. The proposed designations are Ranch and Farm District, Ranch and Farm Three District, and Agricultural Holdings District based on the intended parcel sizes of each lot. The Applicants indicated that the purpose of the application is to increase their pasture area so that their children may raise 4H cattle on the lands.

The Applicants currently reside on Lot 1 (Residential Two District), which is 2.76 hectares (6.82 acres) in size. In order to continue and expand their agricultural operations on site, they have arranged to purchase lands from both the northern parcel and the remainder parcel further to the north. The intent is to adjust the boundaries between the three parcels to create a 54.52 acre parcel. There are no proposed changes to either the existing access arrangements from Township Road 282, or the existing servicing (well and private septic systems), nor do they intend to create any additional parcels.

The subject land is not located within an area structure plan and was therefore evaluated under the County Plan's Agricultural policies.

Administration determined that the application meets policy.

DATE APPLICATION RECEIVED: May 11, 2018
DATE DEEMED COMPLETE: May 11, 2018

PROPOSAL: To redesignate a portion the subject lands from Ranch and Farm District to Ranch and Farm Three District, a

¹ **Administration Resources**
Jessica Anderson, Planning Services
Erika Bancila, Engineering Services

portion from Ranch and Farm Three District to Ranch and Farm District, a portion from Ranch and Farm Three District to Agricultural Holding's District, and a portion from Residential Two District to Ranch and Farm District, all to facilitate the creation of a ± 22.06 hectare (± 54.52 acre) parcel, a ± 9.68 hectare (± 23.93 acre) parcel, and a ± 15.69 hectare (± 38.77 acre) remainder.

LEGAL DESCRIPTION:

Lot 1, Block 2, Plan 0714227, Lot 2, Block 2, Plan 0714227, and SE-15-28-01-W05M

GENERAL LOCATION:

Located 0.41 kilometer (1/4 mile) west of Range Road 12 and on the north side of Township Road 282, 1.25 miles southwest of the town of Crossfield.

APPLICANT:

Lyle German/Kyle & Lindsey Stecyk

OWNERS:

Shane & Amanda Eklund, Carla Henderson, Lindsey German, Lyle H. & Gwen German

EXISTING LAND USE DESIGNATION:

Ranch and Farm District, Ranch and Farm Three District, Residential Two District

PROPOSED LAND USE DESIGNATION:

Ranch and Farm Three District, Agricultural Holdings District, and Ranch and Farm District

GROSS AREA:

± 47.56 hectares (± 117.22 acres)

SOILS (C.L.I. from A.R.C.):

1 1 – No significant limitations.

2H, M, T – Slight limitations due to temperature limiting factors, low moisture holding or supplying capacity, adverse texture.

6W70, 5H, R30 – Cropping is not feasible due to excessive wetness/poor drainage, temperature limiting factors, and shallowness to solid bedrock.

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 20 adjacent landowners, and no letters were received in response. The application was also circulated to a number of internal and external agencies; those responses are available in Appendix 'A'.

HISTORY:

- | | |
|------------------------|---|
| July 18, 2016 | Plan 1611749 was registered, separating one new Residential Two lot, being 6.15 acres in size, from the remainder. This lot is not included in the application. |
| August 23, 2007 | Plan 0714227 was registered, creating two of the subject parcels, being Lot 1 and Lot 2 (6.83 acres and 31.63 acres in area, respectively). |
| June 26, 1996 | Plan 9611293 was registered, separating the east side of Nose Creek from the remainder. |

BACKGROUND:

The purpose of this application is to redesignate portions of three existing parcels to accommodate a reconfiguration of the subject parcels to increase the pasture area so that 4H cattle can be raised on the lands.

To continue and expand the agricultural operations on site, the Applicants have arranged to purchase lands from both the northern parcel and the remainder parcel further to the north; the boundaries between the three parcels would be adjusted to create a 54.52 acre parcel. There are no proposed changes to the existing access arrangements or servicing (well and private septic systems).

No subdivision is proposed, and while subdivision may be possible with a future application, it would be limited as the proposed designations are appropriate for the intended parcel sizes. This redesignation is necessary because the existing land use designations do not allow for the proposed subdivision. The proposed districts are intended to provide for the intended parcel sizes after consolidation.

The subject lands are in an area of the County that is largely agricultural in nature. Development in the vicinity of the subject lands has been to small agricultural and country residential parcels, with some larger agricultural parcels to the south and east.

Proposed Development:

The proposed operation includes *Keeping of Livestock* (cattle) to allow the Applicant to expand their existing cattle operation. The Applicant/Owner plans to enroll their five children in the 4H program, each of whom would raise the animals on site. As per the information provided by the Applicant, these new agricultural operations cannot occur on the lands as they do not currently have enough acreage and the Residential Two District does not allow for the number of animals they wish to keep.

POLICY ANALYSIS:

The application was evaluated in accordance with the County Plan and the Land Use Bylaw.

County Plan (Bylaw C-7280-2013):

The subject lands were evaluated with the Agricultural Policies (Section 8) of the County Plan.

The overall goal of the County Plan with respect to agriculture is to preserve the municipality's agricultural land base as appropriate, avoid fragmentation of agricultural lands, and at the same time encourage business opportunities. Further, the County Plan aims to:

Foster an agriculture sector that is diverse, sustainable, and viable.

Promote partnerships and education initiatives that support the agriculture sector and contribute to increased operator knowledge and opportunities.

Support individual agriculture producers and related business to help them be successful.

Support agriculture operators in going about their day-to-day business with minimum adverse impacts from non-agricultural land uses.

Encourage and support new forms of agriculture innovation and diversification through land use policy.

- The intent of this application is to reverse some of the existing fragmentation on the subject quarter section and to designate the lands back to agricultural land uses to expand an existing cattle operation. The Applicant indicated that they wish to expand their operation and participate in 4H programs to instill farming values in their children and further the family's involvement in the local agricultural community.

The following policies provide for a variety of parcel sizes to accommodate a wide range of agricultural pursuits by acknowledging that emerging trends in agriculture may be successfully developed on smaller parcels of land.

8.18 *Redesignation and subdivision to smaller agriculture parcels as a new or distinct agricultural operation may be supported.*

- The County Plan policy contemplates redesignation to smaller agricultural parcels, but in this case, the intent is to increase the size of the agricultural parcel (with reductions to the areas of the adjacent agricultural parcels). However, it is interpreted based on the overall goals of the County Plan that the application is consistent with the intent of these provisions.

Proposals will be evaluated on the following criteria:

a. A similar pattern of nearby small agricultural operations;

- The surrounding land uses are primarily agricultural with two larger country residential parcels to the west. The proposed land uses would be compatible with the pattern of development in the area.

b. A planning rationale justifying why the existing land use and parcel size cannot accommodate the new or distinct agricultural operation;

- As per the information provided by the Applicant, the proposed expansion of agricultural operations cannot occur unless the lands are redesignated and consolidated, as the lands are currently not large enough to support the operation, and the Residential Two District restricts the number of cattle that can be kept on site.

c. A demonstration of the need for the new agriculture operation;

- The Applicant indicated that they wish to expand their operation and participate in 4H programs to instill farming values in their children and further the family's involvement in the local agricultural community.

d. An assessment of the proposed parcel size and design, to demonstrate it is capable of supporting the new or distinct agricultural operation. Site Assessment criteria includes:

i. suitable soil characteristics and topography;

- Soil and topography appear to be suitable for raising of cattle. The lands are currently pasture and hay.

ii. suitable on-site infrastructure for the proposed use. Required infrastructure may include access areas, water wells, irrigation and sewage infrastructure, and manure management capability; and

- There is an existing approach from Township Road 282 that is in good condition, and an existing well and private sewage system serve the existing home. The existing infrastructure is suitable for the proposed use.

iii. compatibility with existing uses on the parent parcel and adjacent lands.

- The Applicant/Owner notes that cattle (livestock in general) are compatible with the growing of crops and keeping of livestock; therefore, the proposal is compatible with the existing uses on the parent parcel and adjacent lands.

e. An assessment of the impact on, and potential upgrades to, County infrastructure; and

- There is no apparent impact to County infrastructure.

f. An assessment of the impact on the environment including air quality, surface water, and groundwater.

- There is no apparent impact to air quality, surface water, or groundwater.

Land Use Bylaw (Bylaw C-4841-97):

The proposed redesignations are intended to suit the proposed parcel sizes in accordance with the Land Use Bylaw. The listed uses associated with the Agricultural Holdings District and Ranch and Farm Three District are similar to those listed in the Ranch and Farm District, which would maintain a compatibility of uses in the area.

CONCLUSION:

The subject land is not located within an area structure plan and was therefore evaluated under the County Plan's Agricultural policies. The proposed land use amendment is consistent with the overall goal of the County Plan, the definition of New or Distinct Agricultural Operation, and the criteria within Policy 8.18. Any technical aspects of the proposal can be adequately addressed through the related subdivision application and any future Development Permits:

OPTIONS:

- Option #1: Motion #1 THAT Bylaw C-7828-2018 be given first reading.
 Motion #2 THAT Bylaw C-7828-2018 be given second reading.
 Motion #3 THAT Bylaw C-7828-2018 be considered for third reading.
 Motion #4 THAT Bylaw C-7828-2018 be given third and final reading.
- Option #2: THAT application PL20180053 be refused.

Respectfully submitted,

Concurrence,

"Sherry Baers"

"Rick McDonald"

Executive Director
Community Development Services

Interim County Manager

JA/rp

APPENDICES:

- APPENDIX 'A': Application Referrals
APPENDIX 'B': Bylaw C-7828-2018 and Schedule A
APPENDIX 'C': Map Set

APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	Rocky View Schools has no objection to this circulation.
Calgary Catholic School District	No comments provided.
Public Francophone Education	No comments provided.
Catholic Francophone Education	No comments provided.
<i>Province of Alberta</i>	
Alberta Environment	No comments provided.
Alberta Transportation	No comments provided.
Alberta Sustainable Development (Public Lands)	No comments provided.
Alberta Culture and Community Spirit (Historical Resources)	No comments provided.
Energy Resources Conservation Board	No comments provided.
Alberta Health Services	I would like to confirm that Alberta Health Services, Environmental Public Health has received the above-noted application. We would strongly recommend that water wells and private sewage systems be completely contained within the proposed property boundaries. Otherwise, we do not have any concerns with the changes as outlined.
<i>Public Utility</i>	
ATCO Gas	ATCO Gas has no objection to the proposed
ATCO Pipelines	ATCO PIPELINES has no objection.
AltaLink Management	No comments provided.
FortisAlberta	No comments provided.
Telus Communications	TELUS Communications Inc. has no objections to the above noted redesignation.
TransAlta Utilities Ltd.	No comments provided.
Rockyview Gas Co-op Ltd.	No comments provided.

AGENCY	COMMENTS
<i>Other External Agencies</i>	
EnCana Corporation	No comments provided.
City of Calgary	No comments provided.
<i>Rocky View County Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldmen	No agricultural concerns.
Crossfield Recreation Board	The Crossfield Recreation Board will defer comment regarding MR until the Subdivision stage.
<i>Internal Departments</i>	
Municipal Lands	The Municipal Lands Office has no concerns with this land use redesignation application. Comments pertaining to reserve dedication will be provided at any future subdivision stage.
Development Authority	No comments provided.
GeoGraphics	No comments provided.
Building Services	No comments provided.
Emergency Services	Having reviewed the circulation, the Fire Service has no comments at this time.
Enforcement Services	Enforcement has no concerns.
Infrastructure and Operations - Engineering Services	<p>General</p> <ul style="list-style-type: none"> The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures. As the Proposed Lot (± 54.52 acres) parcel is greater than 30 acres in size, there are no servicing requirements. <p>Geotechnical</p> <ul style="list-style-type: none"> ES has no requirements at this time; <p>Transportation</p> <ul style="list-style-type: none"> ES has no concerns. <ul style="list-style-type: none"> The Proposed Lot (± 54.52 acres) as well as both remainder lots have direct paved access onto TWP RD 282, a chip sealed county road. There are two accesses onto TWP RD 282, both mutual and access easement agreements are in place.

AGENCY	COMMENTS
	<ul style="list-style-type: none"> ○ A caveat is placed on title(s) for 17 feet throughout the SE 15-28-1-W5M for road widening purposes (TWP RD 282). ○ At future Subdivision stage, the subject lands will be exempt from the payment of the Transportation Offsite Levy (TOL), because the subdivision is for Boundary Adjustment only. The TOL has been paid on the 6.82 acres parcel. <p>Sanitary/Waste Water</p> <ul style="list-style-type: none"> • ES has no concerns. <p>Water Supply And Waterworks</p> <ul style="list-style-type: none"> • ES has no concerns. <p>Storm Water Management</p> <ul style="list-style-type: none"> • ES has no requirements at this time. <p>Environmental</p> <ul style="list-style-type: none"> • ES has no requirements. <ul style="list-style-type: none"> ○ The subject lands are traversed by a Riparian Protection Area in E-W direction. The approximately 125 m wide stretch is subject to Section 41 requirements of the County's Land Use Bylaw as well as any applicable provincial regulations.
Infrastructure and Operations - Maintenance	No comments provided.
Infrastructure and Operations - Capital Delivery	No comments provided.
Infrastructure and Operations - Operations	No comments provided.

Circulation Period: June 26, 2018 to July 18, 2018



BYLAW C-7828-2018

A Bylaw of Rocky View County to amend Land Use Bylaw C-4841-97

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7828-2018.

PART 2 – DEFINITIONS

In this Bylaw, the definitions and terms shall have the meanings given to them in Land Use Bylaw C-4841-97 and the *Municipal Government Act*.

PART 3 – EFFECT OF BYLAW

THAT Part 5, Land Use Map No. 85 of Bylaw C-4841-97 be amended by redesignating:

- a) A portion of Lot 2, Block 2, Plan 0714227 from Ranch and Farm Three District to Agricultural Holdings District;
- b) Lot 1, Block 2, Plan 0714227 from Residential Two District to Ranch and Farm District; and,
- c) A portion of SE-15-28-01-W05M from Ranch and Farm District to Ranch and Farm Three District;

All as shown on Schedule 'A' attached to and forming part of this Bylaw; and

THAT A portion of Lot 2, Block 2, Plan 0714227; Lot 1, Block 2, Plan 0714227; and a portion of SE-15-28-01-W05M are hereby redesignated to Agricultural Holdings District, Ranch and Farm District, and Ranch and Farm Three District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7828-2018 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the Municipal Clerk, as per Section 189 of the *Municipal Government Act*.

Division: 6

File: 08515005, 08515008, 08515010 / PL20180053

PUBLIC HEARING WAS HELD IN COUNCIL this	day of	, 2018
READ A FIRST TIME IN COUNCIL this	day of	, 2018
READ A SECOND TIME IN COUNCIL this	day of	, 2018
UNANIMOUS PERMISSION FOR THIRD READING	day of	, 2018
READ A THIRD TIME IN COUNCIL this	day of	, 2018

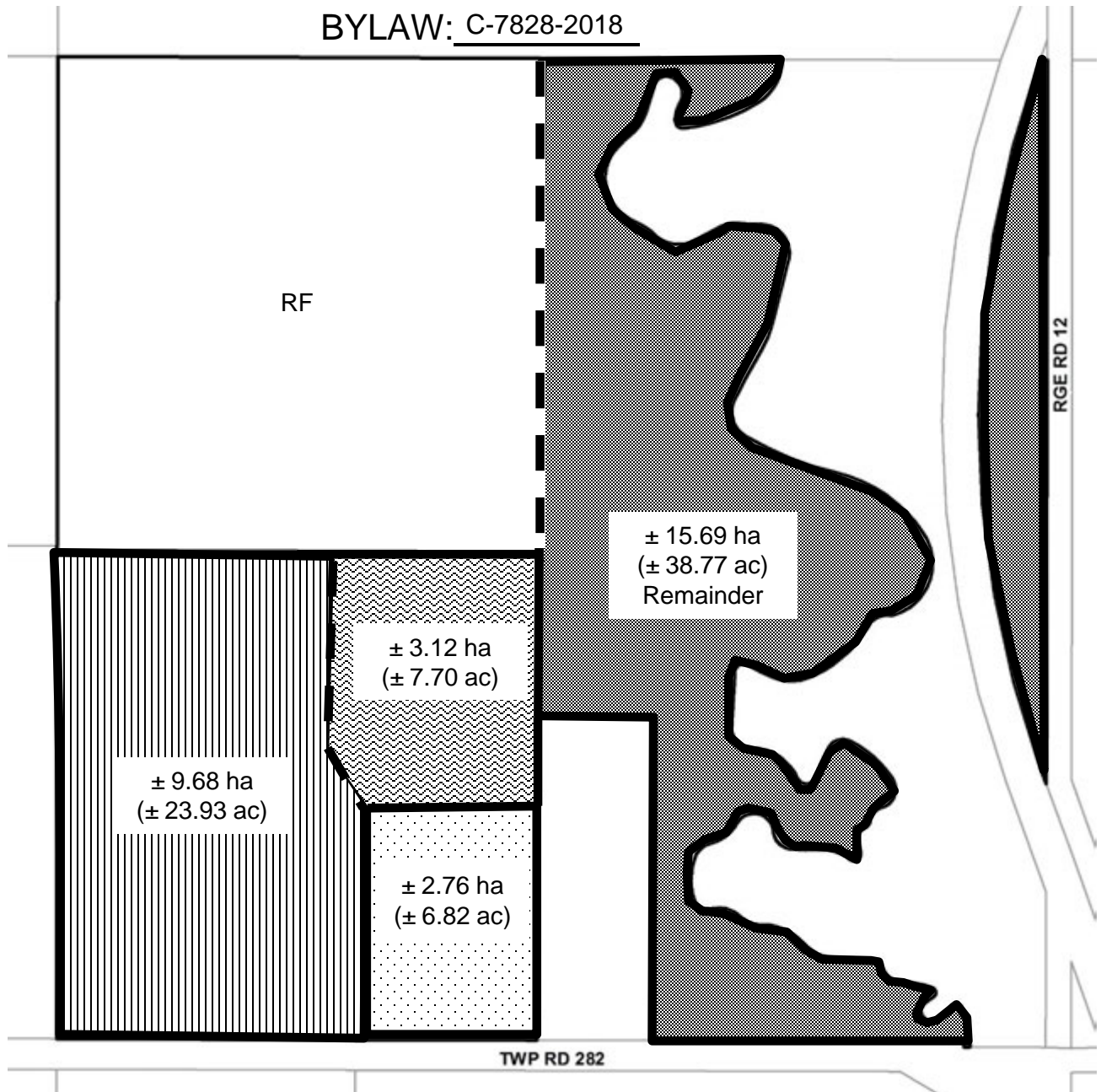


Reeve

CAO or Designate

Date Bylaw Signed

BYLAW: C-7828-2018



AMENDMENT

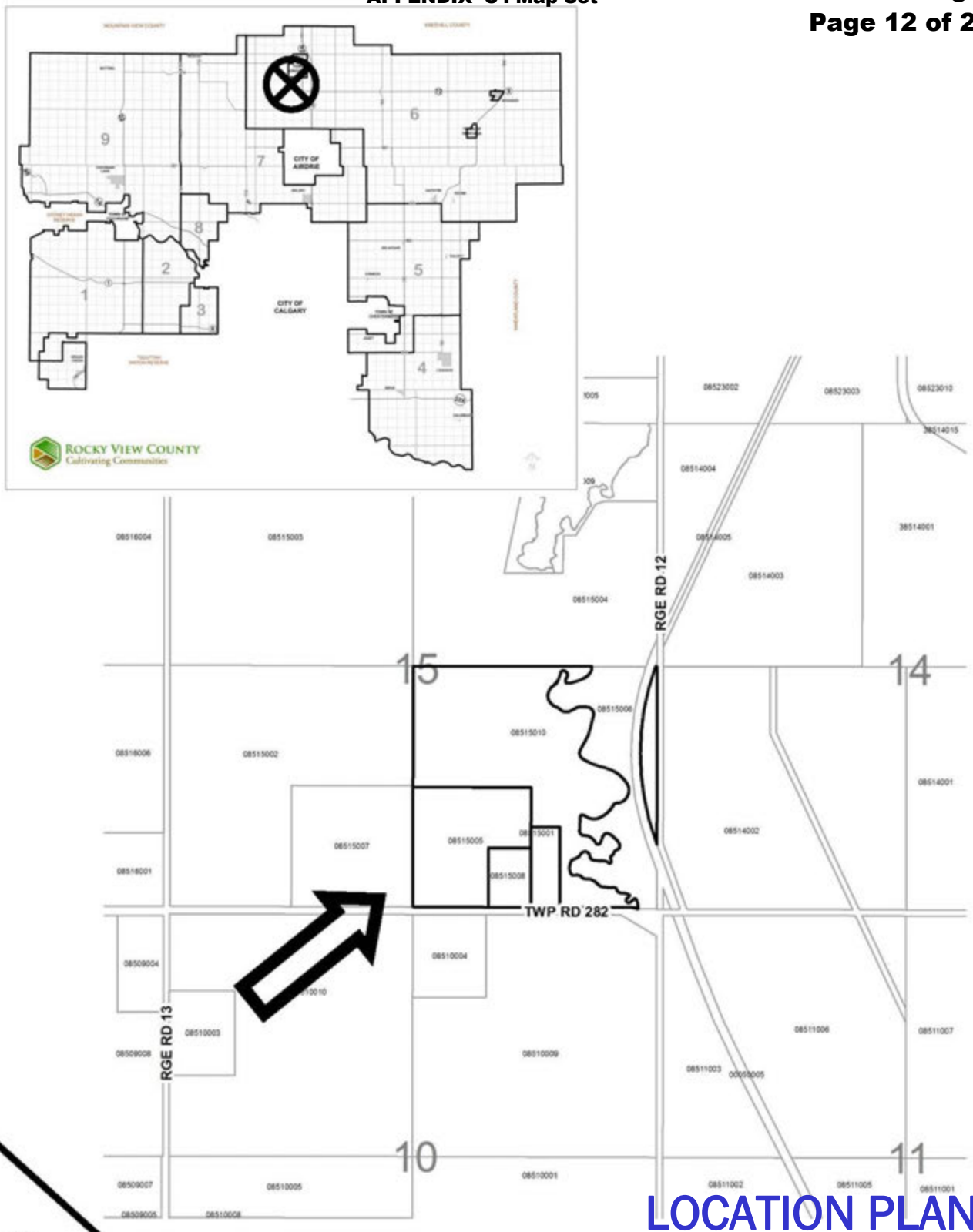
FROM	<u>Residential Two District</u>	TO	<u>Ranch and Farm District</u>	
FROM	<u>Ranch and Farm Three District</u>	TO	<u>Ranch and Farm District</u>	
FROM	<u>Ranch and Farm Three District</u>	TO	<u>Agricultural Holdings District</u>	
FROM	<u>Ranch and Farm District</u>	TO	<u>Ranch and Farm Three District</u>	

Subject Land

LEGAL DESCRIPTION: Lot 2 Block 2 Plan 0714227, SE-15-28-01-W05M
Lot 1 Block 2 Plan 0714227, SE-15-28-01-W05M
SE-15-28-01-W05M

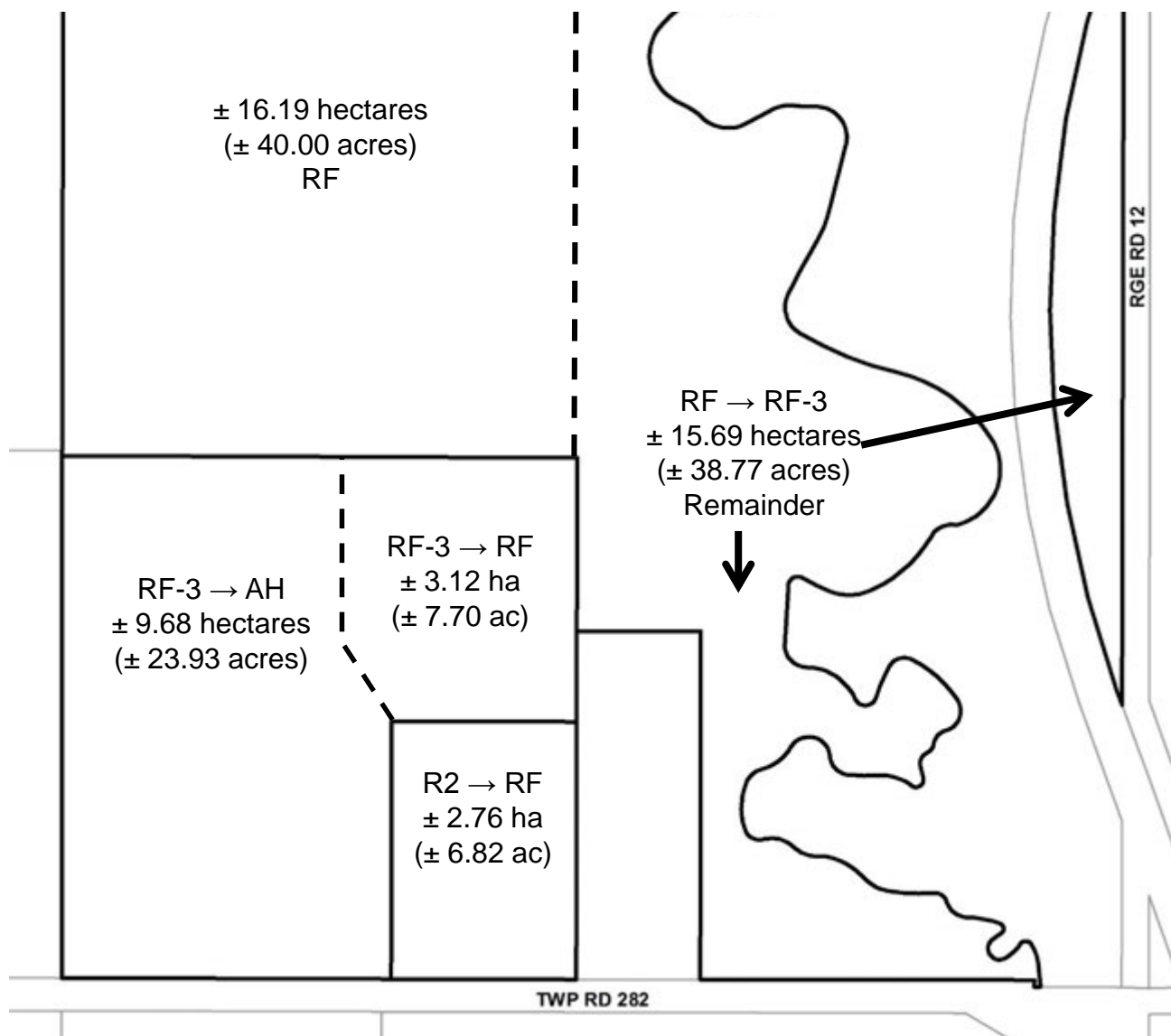


ROCKY VIEW COUNTY
Cultivating Communities



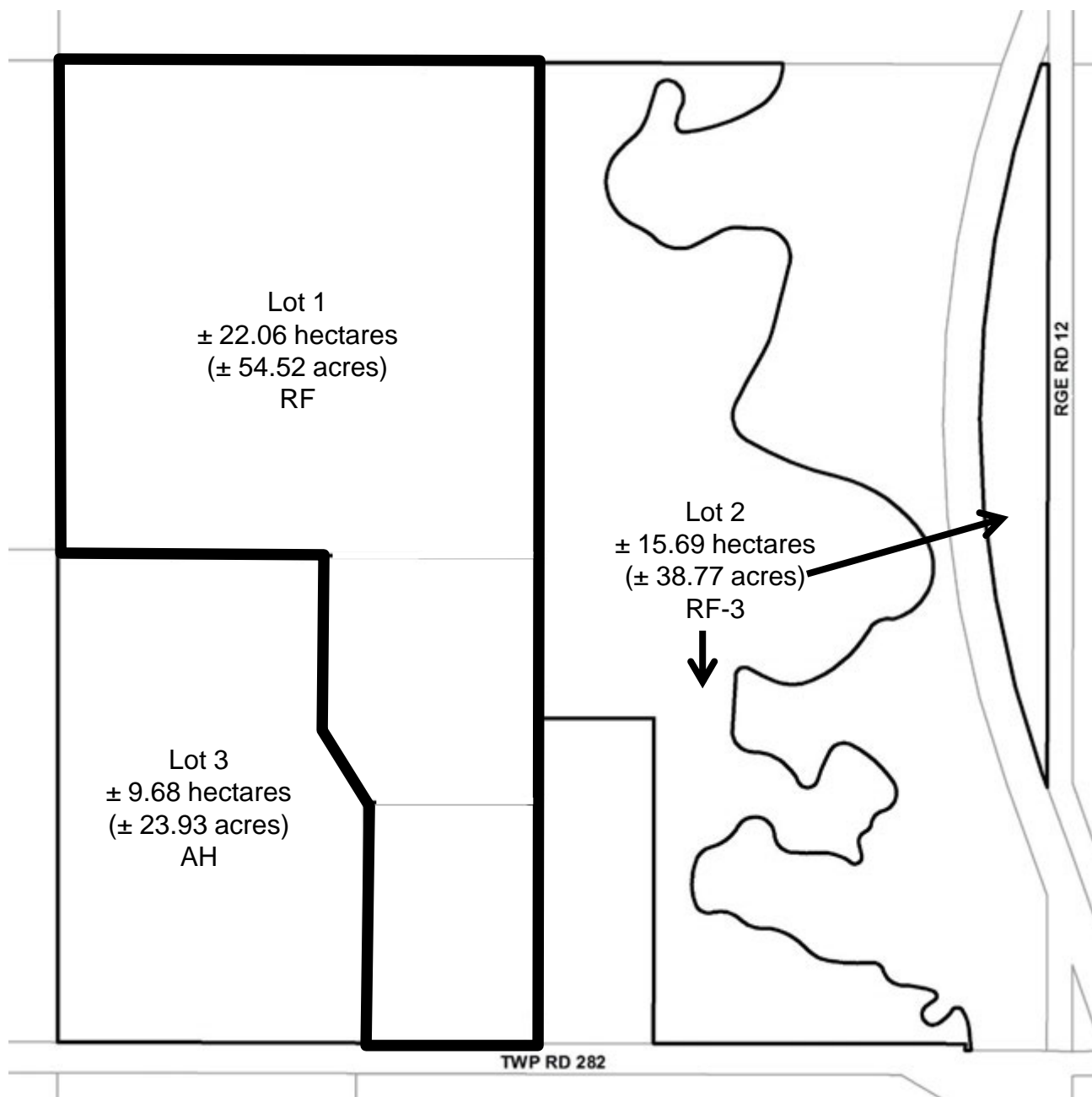
SE-15-28-01-W05M

Development Proposal: To redesignate a portion of the subject lands from Ranch and Farm District to Ranch and Farm Three District, a portion from Ranch and Farm Three District to Ranch and Farm District, a portion from Ranch and Farm Three District to Agricultural Holdings District, and a portion from Residential Two District to Ranch and Farm District, all to facilitate the creation of a ± 22.06 hectare (± 54.52 acre) parcel, a ± 9.68 hectare (± 23.93 acre) parcel, and a ± 15.69 hectare (± 38.77 acre) remainder.



DEVELOPMENT PROPOSAL

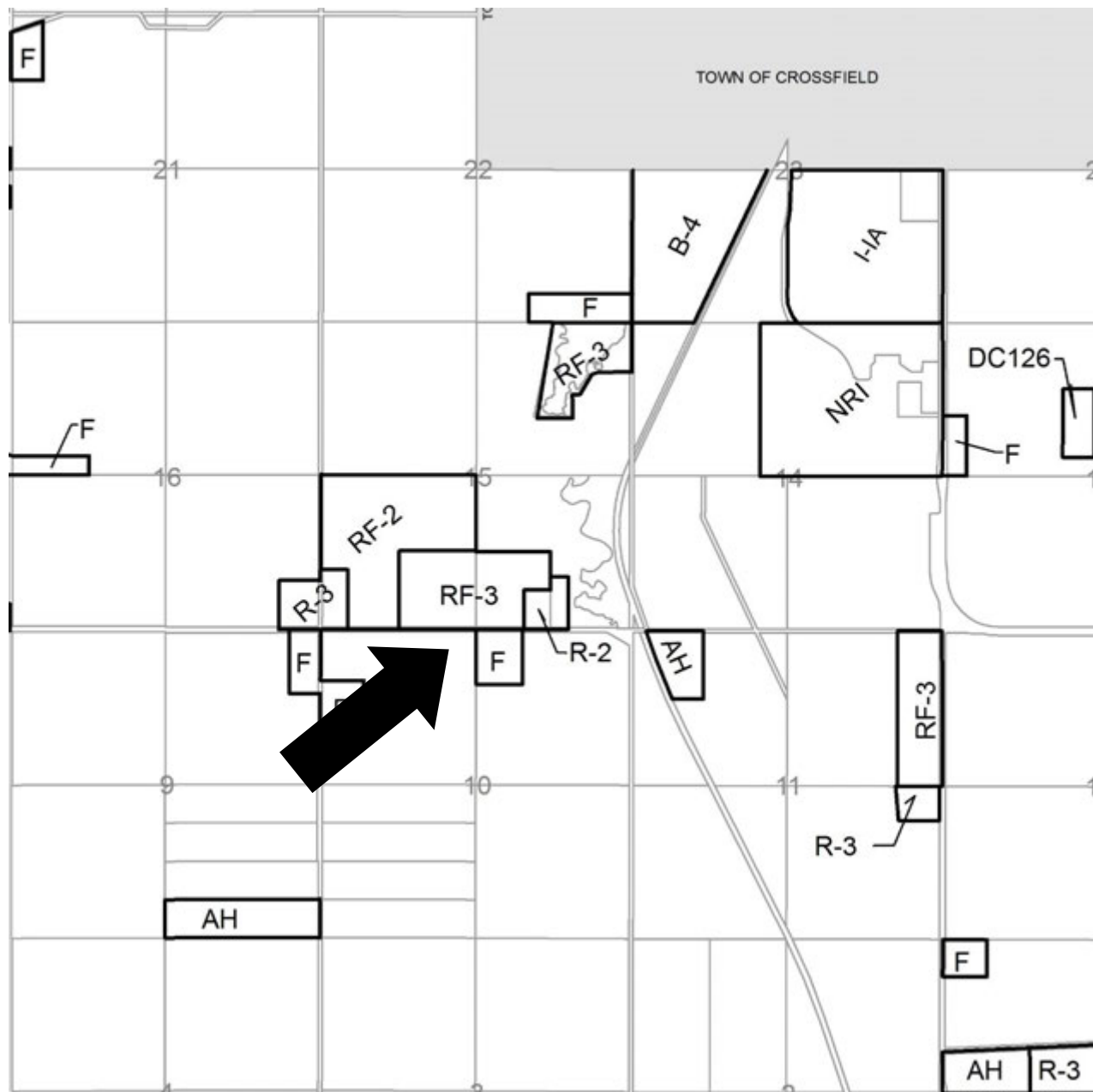
SE-15-28-01-W05M



DEVELOPMENT CONCEPT



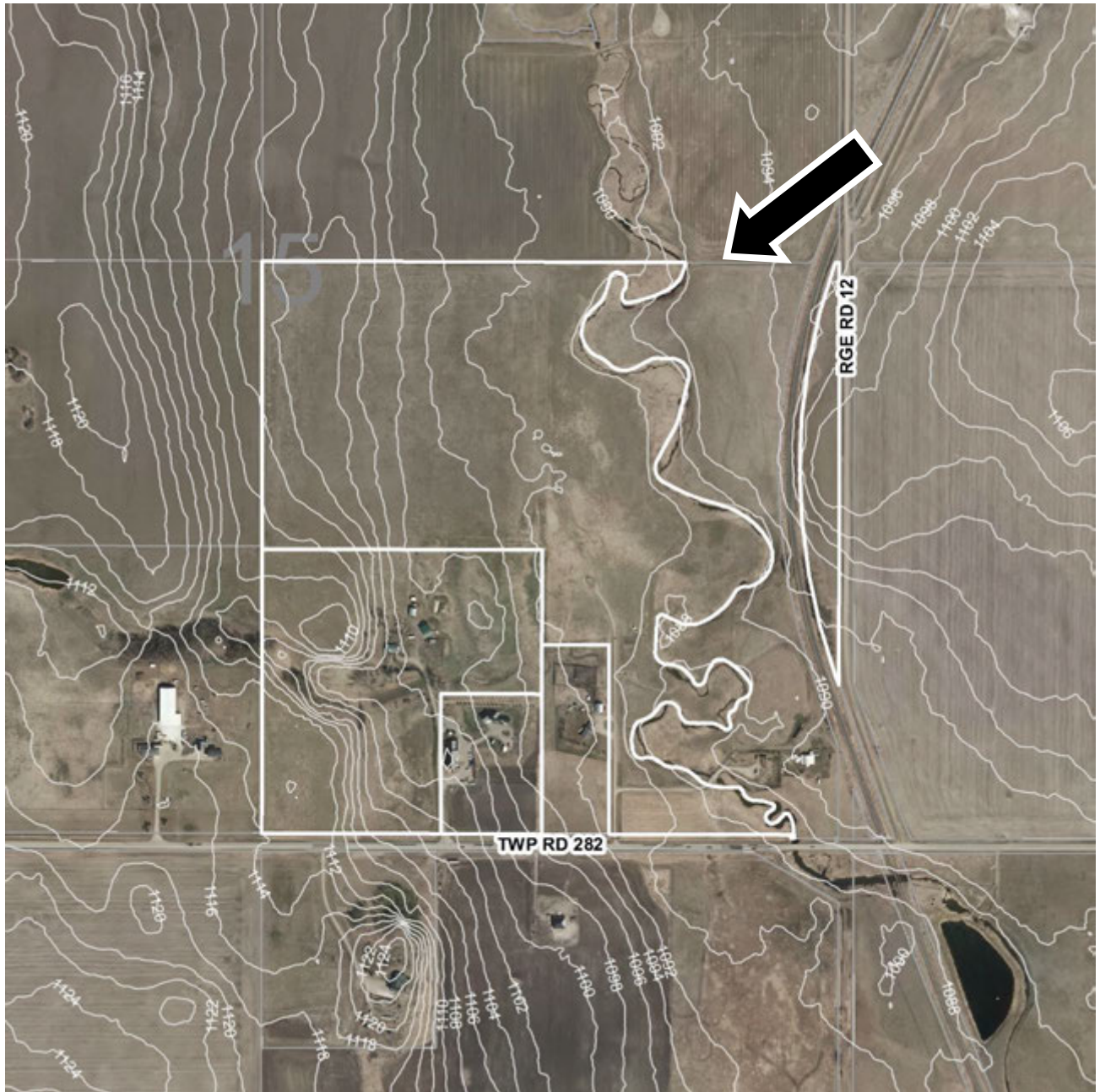
SE-15-28-01-W05M



Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

LAND USE MAP

SE-15-28-01-W05M



Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY

Contour Interval 2 M

SE-15-28-01-W05M



Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2016

SE-15-28-01-W05M

Date: May 24, 2018

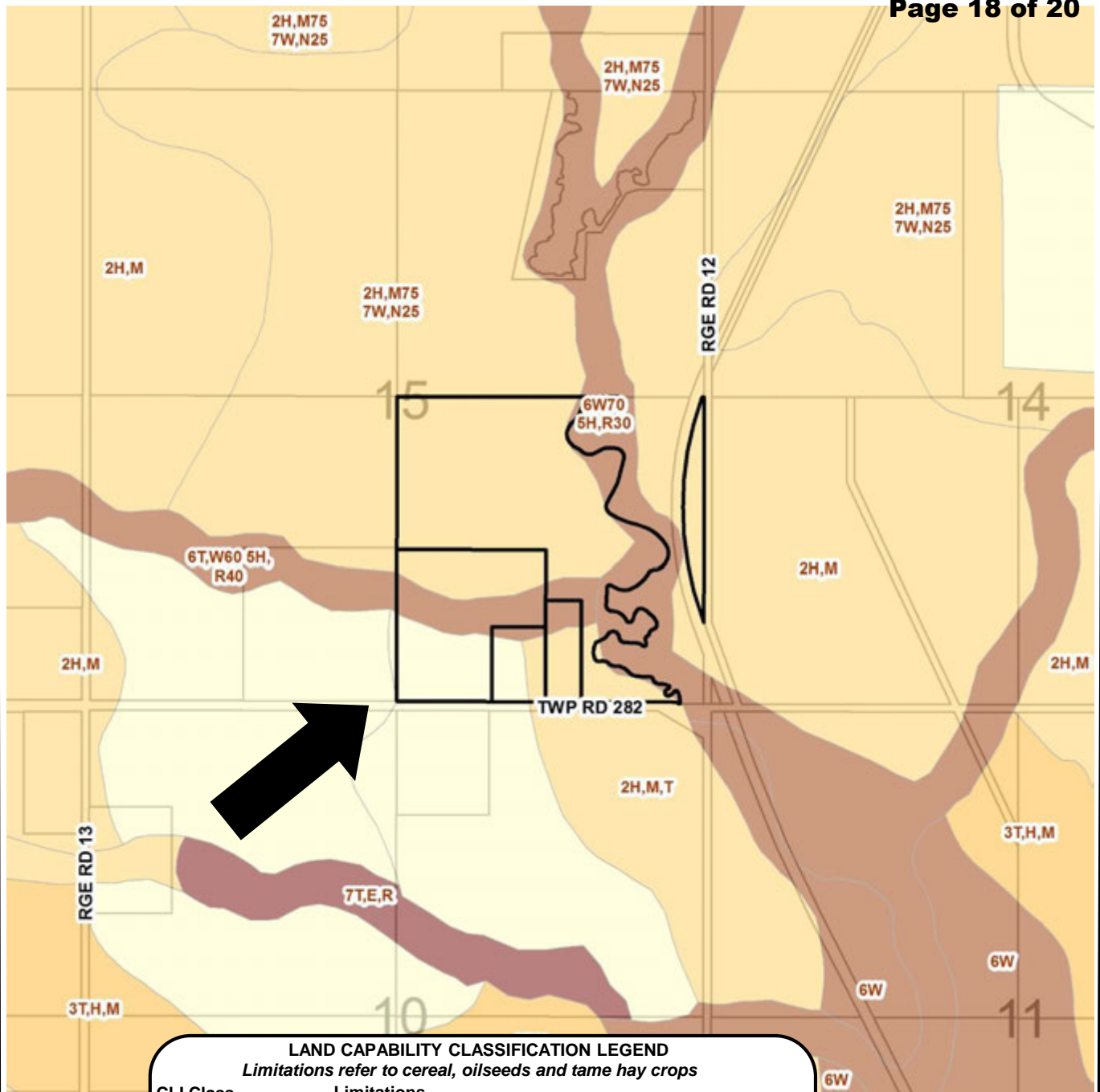
Division # 6

File: 08515005/8/10

AGENDA

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LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high sodicity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

SOIL MAP

SE-15-28-01-W05M

**Legend – Plan numbers**

- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

HISTORIC SUBDIVISION MAP**SE-15-28-01-W05M**Date: May 24, 2018

Division # 6

File: 08515005/8/10**AGENDA****Page 48 of 379**





POLICY & PRIORITIES COMMITTEE

TO: Council

DATE: November 27, 2018 **DIVISION:** ALL

FILE: 6070-175

SUBJECT: PPC Recommendations for Fall 2018 Regional Recreation Funding Applications

¹POLICY DIRECTION:

The Fall intake of Regional Capital Community Recreation Funding Grant applications were evaluated in accordance with Community Recreation Funding Policy 317. All but one were found to be in compliance. The Spray Lake Sawmills Recreation Park Society's \$85,000.00 application does not meet the policy matching principle, and the group requested special consideration that the funding be sourced from the 2017 proceeds realized by the County for the sale of Public Utility Lot and Road Right of Way on the south portion of the Spray Lake Sawmills Family Sports Centre to the Town of Cochrane.

EXECUTIVE SUMMARY:

At the November 6, 2018, PPC meeting, the following regional recreational funding requests were recommended to Council for approval:

1. Two capital funding requests from Spray Lake Sawmills Recreation Park Society (SLSRPS) totaling \$85,000.00.
2. Two capital funding requests from Bow Valley Agricultural Society (BVAS) totaling \$100,208.11.
3. One capital funding requests from North Bow Community Facility Board (NBCFB) totaling \$300,000.00.

BACKGROUND:

Rocky View County outsources recreation development to community organizations. Community Recreation Funding Policy 317 enables the development of facilities identified as 'Regional' and 'Joint Regional'.

A Regional Facility is "owned or co-owned by the County, or is financially supported by the County, but resides in another municipality and must provide public access without discrimination to County residents." It is "a public facility ...[that]... incorporates multiple indoor and outdoor components, participation and opportunities for both structured and organized sport, as well as unstructured and spontaneous recreational activities. ...".

A Joint Regional Facility is "a classified regional recreational facility designed and operated in synergy under shared funding with other regional facilities within a service planning catchment area".

The Spray Lake Sawmills Family Sports Centre is a 'Regional' facility. The Indus Recreation Centre and the future Langdon Recreation Centre are classified as 'Joint Regional' Facilities.

On November 14, 2017, consistent with Council's Land Acquisition/Disposition Policy 313, the County received a market value payment of \$255,000.00 from the Town of Cochrane for the sale of Public

¹ **Administration Resources**

Susan de Caen, Recreation & Community Services



Utility Lot and Road Right of Way on the south portion of the Spray Lake Sawmills Family Sports Centre footprint.

On January 9, 2018, Council approved a motion that this “\$255,000.00 in land sale proceeds be directed to the General Regional Recreation Reserve to resource future joint capital projects initiated by the Spray Lake Sawmills Recreation Park Society (SLSRPS)”. On May 22, 2018, Council approved a capital funding request from SLSRPS for \$75,000.00 from the land sale proceeds, leaving a balance of \$180,000.00 available for future allocation.

As per Policy 317, PPC evaluates regional grant applications and makes funding recommendations to Council for approval.

DISCUSSION:

Spray Lakes Sawmills Recreation Park Society Application Request:

Spray Lakes Sawmills Recreation Park Society's (SLSRPS's) Fall 2018 capital application for \$85,000.00 will assist with two capital projects at the Spray Lake Sawmills Family Sports Centre (SLSFSC):

1. \$25,000.00 for four security gates, which will allow SLSFSC to close certain sections of the building when not open or in use, reducing staff in closed areas and improving security. \$25,000.00 in matching funds is being requested from the Town of Cochrane.
2. \$60,000.00 for the arena parking lot paving project. On May, 22, 2018, Council approved the allocation of \$50,000.00 towards the joint capital paving project anticipated to cost \$200,000.00. SLSRPS received matching grants totaling \$150,000.00 for the project, but the new engineered drawings were \$120,000.00 higher than the original budget. Rocky View County and the Town of Cochrane are each being asked to contribute an additional \$60,000.00 to help complete the project.

SLSRPS requested that these applications be sourced from the Public Utility Lot and Road Right of Way land sale proceeds that were set aside by Council on January 9, 2018. Council's aim was that these funds be available and flexible to meet society needs, with the expectation that the matching principle required per Policy 317 would not apply.

Bow Valley Agricultural Society Application

Bow Valley Agricultural Society's (BVAS's) operational application for \$35,000.00 will assist with:

1. Lifecycle project replacement of the roof above the kitchen concession; and
2. Facility insurance costs.

BVAS's capital application for \$65,208.11 will assist with projects at the Indus Recreation Centre, including the installation of:

1. Heat trace tape along the Indus Recreation Centre roof eaves;
2. A cistern tank;
3. A supervisory signal for the ammonia plant;
4. An ammonia leak detector; and
5. A swing gate on the northeast corner of the ice surface.

BVAS is matching the capital application with a cash contribution and funds from a Community Facility Enhancement Program (CFEP) application.



North Bow Community Facility Board Application

North Bow Community Facility Board's (NBCFB's) capital application for \$300,000.00 will assist with the buildout of a quad baseball diamond facility at the Langdon Joint Use Site. Included in this project are:

1. Four new baseball diamonds with a shale infield, superior playing surface, and warning track;
2. Fencing, tournament board, and shelter area;
3. Lighting, permanent bleachers, and a kids' play area; and
4. A concession stand and permanent washrooms.

The group anticipates providing matching funds for this project through provincial and federal grants, cash, and in-kind contributions. \$250,000.00 has been confirmed. \$5,582,457.00 is pending. Approval of County funding would contribute to the funds required to match the pending provincial contribution.

Administration reviewed the applications and, with the exception of the request for special consideration from SLSRPS of \$85,000.00 funding from the land sales proceeds, all applications meet the criteria for Community Recreation Funding Policy #317. Per Policy #317, Council retains the right to approve funding from the Public Reserve for applications that do not meet some or all of the requirements set out in the policy.

BUDGET IMPLICATION(S):

The \$85,000.00 of resourcing for the SLSRPS capital applications must come from the Regional General Reserve. A balance of \$95,000.00 of unrestricted land sale funds will remain if Council approves the request.

For the BVAS \$100,208.11 request, \$95,816.35 of resourcing for BVAS applications is part of the 2018 operational budget. The remaining \$4,391.76 can be sourced from the Joint Regional General Facilities Reserve for Indus and Langdon.

For NBCFB \$300,000.00 capital request, \$100,000.00 is part of the 2018 operational budget. \$100,000.00 can be sourced from the Joint Regional General Facilities Reserve for Indus and Langdon. The final \$100,000.00 can be sourced from the Regional General Reserve.

If Council approves the recommendation to source the balance of funding for the NBCFB application from the Regional General Reserve, a balance of \$3,391,034.67 will remain.

Table 1: PPC Regional Funding Summary Table

APPLICANT	2017 FUNDING RECEIVED BY APPLICANT	2018 FUNDING RECEIVED BY APPLICANT	TOTAL PROJECT	AMOUNT SOUGHT	PPC RECOMMENDATION
Bow Valley Agricultural Society	<i>Regional Emergency:</i>		<i>Capital:</i>	<i>Capital:</i>	<i>Capital:</i>
	\$100,000.00		\$130,418.22	\$65,208.11	\$65,208.11
	<i>District Capital:</i>		<i>Operational:</i>	<i>Operational:</i>	<i>Operational:</i>
	\$16,792.79		\$893,112.00	\$35,000.00	\$35,000.00
	<i>District Operational:</i>				
	\$9,873.51				



APPLICANT	2017 FUNDING RECEIVED BY APPLICANT	2018 FUNDING RECEIVED BY APPLICANT	TOTAL PROJECT	AMOUNT SOUGHT	PPC RECOMMENDATION
North Bow Community Facility Board	<i>District Operational:</i> \$18,000.00	<i>Langdon Special Tax:</i> \$122,509.70 <i>Operational:</i> \$3,257.68	<i>Capital (quad diamonds):</i> \$6,232,457.00	<i>Capital:</i> \$300,000.00	<i>Capital:</i> \$300,000.00
Spray Lake Sawmills Recreation Park Society	<i>Capital:</i> \$72,680.00 <i>Operational:</i> \$141,950.00	<i>Capital (Land Sale Funds):</i> \$75,000.00 <i>Operational:</i> \$158,550.00	<i>Capital:</i> \$170,000.00	<i>Capital:</i> \$85,000.00	<i>Capital:</i> \$85,000.00

OPTIONS:

- Option 1: Motion #1: THAT the capital funding requests for Spray Lake Sawmills Recreation Park Society in the amount of \$85,000.00 for security gates and arena parking lot paving be approved from the Regional General Reserve.
- Motion #2: THAT the capital funding request for Bow Valley Agricultural Society in the amount of \$100,208.11 be approved with funding as follows:
- a) \$95,816.35 from the 2018 Regional Recreation Levy and
- b) \$4,391.76 from the Joint Regional General Facilities Reserve for Indus and Langdon
- Motion #3: THAT the capital funding request for North Bow Community Facility Board in the amount of \$300,000.00 for quad diamond development at the Langdon Joint Use Site be approved with funding as follows:
- a) \$100,000.00 from the 2018 Regional Recreation Levy
- b) \$100,000.00 from the Joint Regional General Facilities Reserve for Indus and Langdon and
- c) \$100,000.00 from the Regional General Reserve.
- Option #2 THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Sherry Baers"

"Rick McDonald"

 Executive Director
 Community Development Services

 Interim County Manager



APPENDICES:

APPENDIX 'A': Draft Minutes from the November 6, 2018 Policy & Priorities Committee Meeting

ROCKY VIEW COUNTY
POLICY AND PRIORITIES COMMITTEE
November 6, 2018

Page 1

A regular meeting of the Rocky View County Policy and Priorities Committee was held in Council Chambers of the County Hall, 262075 Rocky View Point, Rocky View County, Alberta on November 6, 2018 commencing at 9:02 a.m.

Present:	Division 2	Councillor K. McKylor (Chair)
	Division 8	Councillor S. Wright (Vice Chair)
	Division 3	Councillor K. Hanson
	Division 5	Councillor J. Gautreau
	Division 6	Reeve G. Boehlke
	Division 7	Councillor D. Henn
	Division 9	Councillor C. Kissel

Absent:	Division 1	Councillor M. Kamachi
	Division 4	Deputy Reeve A. Schule

Also Present:

- R. McDonald, Interim County Manager
- K. Robinson, General Manager
- B. Riemann, General Manager
- S. Baers, Acting General Manager
- L. Wesley-Riley, Manager, Enforcement Services
- C. McCullagh, Manager, Recreation and Community Services
- R. Barss, Manager, Intergovernmental Affairs
- S. de Caen, Community Services Coordinator, Recreation and Community Services
- J. Anderson, Planner, Planning Services
- S. MacLean, Planner, Planning Services
- C. Satink, Deputy Municipal Clerk, Legislative and Legal Services
- T. Andreasen, Legislative and Bylaw Coordinator, Legislative and Legal Services

Call to Order

The Chair called the meeting to order at 9:02 a.m. will all members present with the exception of Councillor Kamachi and Deputy Reeve Schule.

1-18-11-06-01**Updates/Acceptance of Agenda**

MOVED by Councillor Henn that the November 6, 2018 Policy and Priorities Committee meeting agenda be accepted as presented.

Carried

1-18-11-06-02**Election of Vice Chair**

MOVED by Reeve Boehlke that General Managers Kent Robinson and Byron Riemann be appointed as scrutineers for the election of Vice Chair.

Carried

The Chair called for nominations for Vice Chair of the Policy and Priorities Committee.

Councillor Kissel nominated Councillor Wright. Councillor Wright accepted the nomination.

ROCKY VIEW COUNTY
POLICY AND PRIORITIES COMMITTEE
November 6, 2018

Page 2

MOVED by Councillor Kissel that nominations for Vice Chair of the Policy and Priorities Committee cease.

Carried

Councillor Wright was elected Vice Chair of the Policy and Priorities Committee by acclamation.

1-18-11-06-03**Confirmation of Minutes**

MOVED by Councillor Wright that the October 2, 2018 Policy and Priorities Committee meeting minutes be accepted as presented.

Carried

1-18-11-06-04 (C-1)**Division 4 – North Bow Community Facility Board – Update on Community Vision for the Langdon Community Campus Recreation Complex**

File: N/A

Presenters: Corrie Carrobourg, Vice Chair, North Bow Community Facility Board
Chrissy Craig, Fundraising Coordinator, North Bow Community Facility Board

MOVED by Reeve Boehlke that the presentation on Community Vision for the Langdon Community Campus Recreation Complex by the North Bow Community Facility Board be received as information.

Carried

1-18-11-06-05 (C-2)**Division 7 – West Balzac Land Owners Association – The Future of the Balzac West Area Structure Plan**

File: N/A

Presenters: Connie James, President, West Balzac Land Owners Association
Chris Ghazouly, Alberta North Projects Ltd.
Robert Weston, ERW Consulting Inc.

MOVED by Councillor Henn that the West Balzac Land Owners Association presentation by Connie James and Chris Ghazouly be received as information.

Carried

MOVED by Councillor Henn that Administration be directed to explore options, including water and wastewater servicing and including a joint economic development initiative agreement with the City of Airdrie and/or City of Calgary, and report back on or before the July 2, 2019 Policy and Priorities Committee meeting.

Carried

In Favour:
Councillor Gautreau
Councillor McKylor
Reeve Boehlke
Councillor Henn

Opposed:
Councillor Hanson
Councillor Wright
Councillor Kissel

The Chair called for a recess at 10:52 a.m. and called the meeting back to order at 11:02 a.m. with all previously mentioned members present with the exception of Councillor Hanson.

Councillor Hanson returned to the meeting at 11:04 a.m.

ROCKY VIEW COUNTY
POLICY AND PRIORITIES COMMITTEE
November 6, 2018

Page 3

1-18-11-06-06 (C-3)**Division 3 – Triple D & GL Ranches – Access, Servicing, and Land Use Issues****File: N/A**

Presenters: Cameron Wallace, Catalyst Management Consultants Inc.
Darcy Simonelli, Triple D and GL Ranches
Richard Geletta, CIMA+
Daniel Simonelli, Triple D and GL Ranches

The Chair called for a recess at 11:30 a.m. and called the meeting back to order at 11:40 a.m. with all previously mentioned members present with the exception of Reeve Boehlke.

Reeve Boehlke returned to the meeting at 11:42 a.m.

MOVED by Councillor Hanson that Administration be directed to work with Triple D and GL Ranches, the City of Calgary, and affected landowners to develop subdivision and road construction agreement conditions for the dedication of a portion of Lott Creek Drive as a public road, to be brought back on or before the July 2, 2019 Policy and Priorities Committee meeting, that includes:

- a) Capital costs;
- b) Future maintenance costs; and
- c) Emergency services access.

Carried

MOVED by Councillor Hanson that Administration be directed to initiate IMC-level discussions with the City of Calgary on the potential boundary adjustments for technical reasons on the Triple D and GL Ranches lands and a portion of Rocky View County south of Highway 8, west of 101st Street, and east of the Elbow River.

Carried

MOVED by Councillor Hanson that the presentation by Triple D & GL Ranches Ltd. be received as information.

Carried

1-18-11-06-10 (D-4)**All Divisions – 2018 Regional Recreation Funding Applications****File: 6070-175**

MOVED by Reeve Boehlke that the capital funding requests for Spray Lake Sawmills Recreation Park Society in the amount of \$85,000.00 for security gates and arena parking lot paving be recommended to Council for approval from the Regional General Reserve.

Carried

MOVED by Reeve Boehlke that the capital funding request for Bow Valley Agricultural Society in the amount of \$100,208.11 be recommended to Council for approval with funding as follows:

- a) \$100,000.00 from the 2018 Recreational Tax Levy; and
- b) \$208.11 from the Regional General Reserve

Carried

ROCKY VIEW COUNTY
POLICY AND PRIORITIES COMMITTEE
November 6, 2018

Page 4

MOVED by Reeve Boehlke that the capital funding request for North Bow Community Facility Board in the amount of \$300,000.00 for quad diamond development at the Langdon Joint Use Site be recommended to Council for approval with funding as follows:

- a) \$100,000.00 from the 2018 Recreational Tax Levy; and
- b) \$200,000.00 from the Regional General Reserve.

Carried

1-18-11-06-07 (D-1)

All Divisions – Policy #C-404 - Protective Services Policy for Accessing the One Part Operators License Image Repository

File: N/A

MOVED by Councillor Wright that Protective Services Policy for Accessing the One Part Operators License Image Repository Policy #C-404 be rescinded.

Carried

1-18-11-06-08 (D-2)

All Divisions – Policy C-161 - Community Peace Officer Policy

File: N/A

MOVED by Councillor Henn that Community Peace Officer Policy #C-161 be rescinded.

Carried

1-18-11-06-09 (D-3)

All Divisions – *Animal Control Bylaw* – Policy Direction

File: N/A

Reeve Boehlke left the meeting at 12:29 p.m. and returned at 12:30 p.m.

MOVED by Reeve Boehlke that the proposed revisions to Animal Control Bylaw C-5758-2003 be brought to a future Policy Review Subcommittee meeting for further consideration based on today's input.

Carried

Adjournment

MOVED by Councillor Hanson that the November 6, 2018 Policy and Priorities Committee meeting be adjourned at 12:38 p.m.

Carried

CHAIR

CAO or Designate

RECREATION AND COMMUNITY SERVICES

TO: Council **DIVISION:** All
DATE: November 27, 2018
FILE: 6060
SUBJECT: Fall 2018 District Community Recreation Funding Grant: Capital Funding Requests

¹ **POLICY DIRECTION:**

The Fall intake of District Capital Community Recreation Funding Grant applications were evaluated in accordance with Community Recreation Funding Policy 317 and were found to be compliant.

EXECUTIVE SUMMARY:

Not-for-profit organizations provide and develop a range of cultural, social, recreational, sport-based, and other community-based services and projects that, without their involvement, the County could not provide. Community Recreation Policy 317 enables recreational development and ongoing partnerships, enhancing access to recreational facility services and programs for the greatest community impact.

The following capital district recreational funding requests were recommended to Council for approval by District Recreation Boards:

1. One request from Bearspaw Historical Society totaling \$5,000.00.
2. One request from Bow Valley Community Club totaling \$6,450.00.
3. One request from Langdon Community Association totaling \$731.00.

The following capital district recreational funding requests were reviewed by District Recreation Boards, but not recommended to Council for approval:

1. One request from Bearspaw Glendale Community Association totaling \$35,787.50.
2. One request from Springbank Community Association totaling \$27,760.00.

Council is the final approving authority under Community Recreation Policy 317 for all funding applications, except where intermunicipal cost-sharing agreements have traditionally applied; i.e.: Chestermere-Conrich and Crossfield. The resourcing available, and the Recreation District Boards' recommendations are outlined under the 'Background' section.

BACKGROUND:

As per Policy #317, applications from community recreation groups are processed through the District Recreation Board or Recreation Boards under which residents use their facilities or programs. Recreation Boards provide recommendations to Council regarding the allocation of funds to those groups.

Council retains the right to approve funding from the Public Reserve for applications that do not meet some or all of the requirements set out in the policy.

As of September 30, 2018, the Recreation District Boards held the following amounts in their uncommitted capital reserve accounts:

¹ **Administration Resources**

Susan de Caen, Recreation & Community Services

Table 1: Bearspaw-Glendale Recreation District Board:

Current Reserve Balance - \$809,643.33
Reserve Balance After Funding - \$804,643.33

APPLICANT	2017 FUNDING RECEIVED BY APPLICANT	2018 FUNDING RECEIVED BY APPLICANT	TOTAL PROJECT	AMOUNT SOUGHT	BOARD RECOMMENDATION
Bearspaw Glendale Community Association	<i>Capital:</i> \$70,037.00 <i>Operational:</i> \$101,600.00	<i>Capital:</i> \$8,560.00 <i>Operational:</i> \$118,850.00	\$71,545.00	\$35,787.50	\$0
Bearspaw Historical Society	<i>Operational:</i> \$10,000.00		\$10,765.00	\$5,000.00	\$5,000.00

Table 2: Bow North Recreation District Board:

Current Reserve Balance - \$158,145.66
Reserve Balance After Funding - \$150,964.66

APPLICANT	2017 FUNDING RECEIVED BY APPLICANT	2018 FUNDING RECEIVED BY APPLICANT	TOTAL PROJECT	AMOUNT SOUGHT	BOARD RECOMMENDATION
Bow Valley Community Club	<i>Capital:</i> \$8,792.00	<i>Capital:</i> \$27,321.81	\$12,900.00	\$6,450.00	\$6,450.00
Langdon Community Association	<i>Capital:</i> \$25,075.46 <i>Langdon Special Tax:</i> \$20,000.00	<i>Capital:</i> \$48,000.00 <i>Emergency:</i> \$3,425.00	\$1,462.00	\$731.00	\$731.00

Table 3: Rocky View West Recreation District Board:

Reserve Balance - \$66,939.87
Reserve Balance After Funding - \$66,939.87

APPLICANT	2017 FUNDING RECEIVED BY APPLICANT	2018 FUNDING RECEIVED BY APPLICANT	TOTAL PROJECT	AMOUNT SOUGHT	BOARD RECOMMENDATION
Springbank Community Association		<i>Community Benefits:</i> \$5,000.00	\$50,000.00	\$27,760.00	\$0.00

BUDGET IMPLICATIONS:

There are no budget implications. The 2018 operating budget includes estimates for District Community Recreation funding grants, so no budget adjustment is required.

DISCUSSION:

The Recreation District Boards have made the following recommendations for Council's consideration:

1. The **Bearspaw Glendale Community Association (BGCA)** requested \$35,787.50 to complete two projects at the Bearspaw Lifestyle Centre:
 - a. Replace the gymnasium rooftop makeup air unit; and
 - b. Add air conditioning in the hall and kitchen.

The total cost of this project is \$71,545.00. The Bearspaw Glendale Recreation District Board was concerned that the quotes provided may not accurately reflect the true cost of the project, and that contingency costs for possible structural upgrades that may be required to support the additional weight of the new units were not included. The Board suggested that the BGCA carry out a structural integrity assessment to clarify the need for and potential cost of upgrades prior to applying for provincial or municipal funding. The Board also recommended that the BGCA request from contractors a comparable list of line items such that costs might be compared between contractors. It was suggested that the BGCA resubmit their application in the spring with more reliable project quotes and a better understanding of their true facility needs. As the BGCA does not plan to commence their project until May 2019, and they will not be applying for matching funding from the provincial Community Facility Enhancement Program (CFEP) until January 2019, this delay will not affect their proposed timeline.

2. The **Bearspaw Historical Society (BGCA)** requested \$5,000.00 to design and install interpretive signage at the Historic Bearspaw School. The total cost of this project is \$10,765.00. The Bearspaw Glendale Recreation District Board recommends approval of funding up to \$10,765.00.
3. The **Bow Valley Community Club** requested \$6,450.00 to repair parking lot paving outside the Indus Curling Rink, a project that will cost \$12,900.00 in total. The project will enhance the safety of the parking lot, which is used by members of both the Indus Curling Club and the Indus Recreation Centre. The Bow North Recreation District Board recommends approval of funding up to \$6,450.00.
4. The **Langdon Community Association** requested \$731.00 to install a new power pole and remount the floodlight at the outdoor ice rink to allow community use of the facility into the winter evening hours. The project will cost \$1,462.00 in total. The Bow North Recreation District Board recommends approval of funding up to \$731.00.
5. The **Springbank Community Association** requested \$27,760.00 to conduct a feasibility assessment for a community, recreation, and event centre in Springbank. The project will cost \$50,000.00 in total. The Rocky View West Recreation District Board recommended the following:

That following Council approval of the Rocky View West Master Plan, we recommend the Springbank Community Association work with Recreation Administration to create a current proposal for a feasibility study that reflects the master plan. Then Administration needs to identify options for assisting with funding. We want to acknowledge the volunteerism and initiative shown by the Springbank Community Association and we recognize there is a time component to this feasibility decision.



CONCLUSION:

The Fall intake of District Capital Community Recreation Funding Grant applications were evaluated in accordance with Community Recreation Funding Policy 317 and were found to be compliant. The subject District Recreation Boards recommended funding for three of the five applications; of the two that did not receive funding recommendation, one was recommended to be brought back in the spring with updated quotes, and another was expected to be assisted through non-District funds.

OPTIONS:

- Option #1: Motion #1 THAT the Bearspaw Historical Society's request for up to \$5,000.00 to design and install interpretive signage at the Historic Bearspaw School be approved from the Bearspaw Glendale Recreation District Public Reserve.
- Motion #2: THAT the Bow Valley Community Club's funding request for up to \$6,450.00 to repair parking lot paving outside the Indus Curling Rink be approved from the Bow North Recreation District Public Reserve.
- Motion #3: THAT the Langdon Community Association's request for up to \$731.00 to install a new power pole and remount the floodlight at the outdoor ice rink be approved from the Bow North Recreation District Public Reserve.
- Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Sherry Baers"

"Rick McDonald"

Executive Director
Community Development Services

Interim County Manager

SdC/rp

APPENDICES:

- APPENDIX 'A': Bearspaw Glendale Community Association's Capital Application
- APPENDIX 'B': Bearspaw Historical Society's Capital Application
- APPENDIX 'C': Bow Valley Community Club's Capital Application
- APPENDIX 'D': Langdon Community Association's Capital Application
- APPENDIX 'E': Springbank Community Association's Capital Application
- APPENDIX 'F': Community Recreation Funding Policy C-317
- APPENDIX 'G': Letters of Support



ROCKY VIEW COUNTY
Cultivating Communities

Community Recreation Funding
Capital Assistance Grant

Please type or print clearly. Applicants must be a district organization serving County residents.
All information provided is public.

Organization Information

Organization's Name: Bearspaw-Glendale Community Association

Incorporation Act Registered Under (If Applicable): Province of Alberta

Incorporation Number: 106780109

Mailing Address: 253220 Bearspaw Road Calgary, AB

Postal Code: T3L 2P5

(All correspondence and cheques will be mailed to this address)

Primary Contact:

Name: Siroun Heal

Telephone: (W) [REDACTED] (H) (C)

Email: [REDACTED]

Alternate Contact:

Name: Allen Vanderputten

Telephone: (W) (H) (C) [REDACTED]

Email: al.vanderputten@shaw.ca

Amount Requested: \$35,787.50

FacilityName of Facility: Bearspaw Lifestyle CentreLegal Description / Address: 253220 Bearspaw Road Calgary, AB T3L 2P5Registered Holder of Land Title: Rocky View County

Please give us a brief description of your organization

We are the community association and facility for the Bearspaw-Glendale district, providing social and recreational programming, community events and room rental services. Our services extend to the greater Rocky View County north and west of the district and to a lesser extent Cochrane and the most northwestern neighborhoods of Calgary.

Please describe in detail the work to be carried out and the need for this project

(Please attach a separate piece of paper if you need additional space)

There are two projects. The first is the replacement of the gymnasium rooftop makeup air unit. It was originally installed in 1980 when the gym was added. As per the lifecycle study performed in 2010 the service life is 25 years so the replacement of this unit is overdue. This would be the second phase of replacing old original heating systems in the building. In 2013 several furnaces in the basement were replaced. Any ductwork, engineering, electrical and roofing work that may be required in the removal of the old unit and installation of the new unit has also been estimated. The new unit will be an Engineered Air Heat-only Roof Top Unit like the previous unit.

The second project is the addition of air conditioning in the hall and kitchen. The most cost effective option is to retrofit the current furnaces with AC units on the roof to service the hall, stage and kitchen and to use the existing ducting. Air conditioning will enhance the hall for future rentals. This room hosts several rentals and events with large groups and can get uncomfortably warm due to the numbers of people, windows and west exposure. Propping doors open is not always effective and creates undue wear and tear on the doors.

Describe how the project will benefit your community and the County

The replacement of the gymnasium rooftop unit is overdue and will ensure the continued use without disruption of the gymnasium. The gym provides essential rental revenue and ideal space for a variety of recreational programming for all ages from preschoolers to senior activities. The air conditioning in the hall will enhance the comfort for renters. Over the years there have been complaints about the heat due to the numbers of people in the room during events and rentals such as weddings. Again the hall is another essential space that provides rental revenues, programming space and is an ideal size room for our own events and many types of rental activities and sizes of crowds.

Please indicate the **number of people** who access your facility, amenity or program for which funding is being sought who reside in:

- Within Rocky View County: 4000-5000
- Outside Rocky View County boundaries: 750-1000

Is this project located in a neighbouring municipality?

☐ Yes

☒ No

If yes, how will access to County residents be assured? Is there an existing joint use agreement in place?

What are the annual operating expenses for this facility? \$ 530,000

How many months of the year does this facility operate? 12 Months

Estimated project start date: May 2019

Estimated completion date: Oct 2019

Project Budget

Revenue

Requested Grant Amount	\$ 35,787.50	Maximum Rocky View County Funding including grant request cannot exceed 50% of total project costs.
Cash Contributions	\$ 11,000.00	Please note: Cash contributions and donated in kind represent your matching amount which must equal or exceed grant request.
Donated In Kind	\$	
Other Grant Funding	\$ 24,787.50	Attach a detailed list of other grant funding which has been applied for or approved for this project. Please Note that BGCA will be applying to CFEP in January 2019 for these matching funds.
Total Revenue	\$ 71,545.00	

Total Project Cost and Donated Components Breakdown – If you are applying for funding for more than one project, please provide ALL quotes (3 for each project) in the following table.

See Appendix C for an EXAMPLE.

Project Description	Quote Cost (A)	Source of Quote	Quote Attached	Quote used for Total Project Cost Calculation Below	Labour* (B)	Equipment (C)
A. Gymnasium Makeup Air Rooftop Unit Replacement	1.\$39,500	Pioneer Air	X	<input type="checkbox"/>		
	2.\$49,575	Air Condition & Mechanical	X	X		
	3.\$94,431	Carmichael Engineering Ltd.	X	<input type="checkbox"/>		
B. Banquet, stage and kitchen air conditioning	1.\$16,913	Anduro Industries	X	<input type="checkbox"/>		
	2.\$22,000	Pioneer Air	X	X		
	3.\$49,811	Carmichael Engineering Ltd.	X	<input type="checkbox"/>		
C.	1.		<input type="checkbox"/>	<input type="checkbox"/>		
	2.		<input type="checkbox"/>	<input type="checkbox"/>		
	3.		<input type="checkbox"/>	<input type="checkbox"/>		

*Volunteer labour valued at \$12 per hour as per Rocky View County Bylaw C-7551-2016

Total Project Costs= \$ 71,545 (Sum of A + B + C) → This figure must equal 'Total Revenue' above. Please indicate which quote you are using for this calculation.

- **Include quotes.** If not included, indicate source of estimates

- **Cash contribution should be supported by Financial Statements** and letters from donors of larger cash amounts
- **No retroactive funding is permitted** for costs that have already been incurred prior to application submission

FINANCIAL ASSISTANCE

- A. If your organization has a current operating surplus, capital reserve or unrestricted cash assets, explain what you plan to do with these funds if they are not being allocated to this project.

As indicated we will be contributing \$ 11,000 of our own unrestricted investments plus \$1,100 in GST for the air conditioning project and will be paying the GST of \$2,478.75 on the Gymnasium rooftop unit replacement.

If you are unsuccessful in getting approved for the total amount of funds requested, how do you plan on completing the project?

Depending on the outcome of RVC funding approved we may apply for other funding and/or review the possible further allocation of our own funds.

- B. Have you, or are you planning on receiving funding for this project from another government program, municipality or another level of government?

Yes ☒ No ☐

If yes, please explain.

We will be applying for matching funding for both projects through the CFEP program. Application deadline is January 15, 2019.

Mandatory Attachments

- ☐ Minimum of three (3) quotes per project
- ☐ Audited financial statements
- ☐ List of organization's Officers and Directors

- ❖ **PLEASE NOTE:** If you have not heard from us within a week of your application submission, please get in direct contact with Sue de Caen at sdecaen@rockyview.ca.

Declaration Statement

We, the two representatives, certify that this application is complete and accurate

Name: ___Siroun Heal 

Title: ___Financial Accountant___

Date: ___September 13, 2018___

Name: ___Allen Vanderputten 

Title: ___Director of Facilities___

Date: ___September 13, 2018___

The personal information on this form is being collected for the purpose of determining eligibility of an applicant to receive a Council grant. This information is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act and may become public information once it is submitted to Council during a Council meeting. Questions regarding the collection of this information can be directed to the Manager, Recreation and Community Services at 403.520.6307

Obligations Upon Receiving Grant

Grant recipients will receive a Grant Agreement outlining the approved grant amount, including specific items approved or denied, and the project goals and outcomes expected. Organizations may only spend grant funds on the specific items approved.

Upon completion of the project, recipients must submit a **Project Completion report** detailing how the money was spent and whether or not the stated objectives were achieved. Failure to submit a report may affect future grant application consideration. At any time, grant recipients must permit a representative of Rocky View County to examine records to determine whether the grant funding has been used as intended and approved.

Please see page 15 for evaluation criteria

Do not send appendices back with application form



Community Recreation Funding
Capital Assistance Grant

Please type or print clearly. Applicants must be a district organization serving County residents. All information provided is public.

Organization Information

Organization's Name: **The Bearspaw Historical Society**

Incorporation Act Registered Under (If Applicable): Charitable Organization

Incorporation Number: 865349732

Mailing Address: 253253 Bearspaw Road, Calgary, Alberta

Postal Code: T3L 2P7

(All correspondence and cheques will be mailed to this address)

Primary Contact:

Name: Louise McAuley

Telephone: [REDACTED] Cell: [REDACTED]

Email: [REDACTED]

Alternate Contact:

Name: Jack Vincent

Telephone: [REDACTED]

Email: [REDACTED]

Amount Requested: \$5,000.00

Facility

Name of Facility: The Bearspaw Historic School Site (named Interpretive Centre on County Computer)

Legal Description / Address: Lot 22 MR Plan 9411782

Registered Holder of Land Title: Rocky View County

Please give us a brief description of your organization.

- The Bearspaw Historical Society's objectives are to preserve and maintain historical sites and items, to document area history and to acknowledge early settlers.
- The Society maintains the restored original 1920 one room Bearspaw schoolhouse, the 1940 teacherage and a replica barn on our school site at 253253 Bearspaw Road. We open the buildings to the community for meetings etc. and welcome the Grade One and Two students of the new modern Bearspaw School on a regular basis.
- In 2016 with the financial assistance of the County we moved the Homesteaders' Monument to our site and the held a Homesteaders/ Canada Day celebration in June of 2017 in recognition of Canada's 150 birthday and the contribution of the Homesteaders who settled in our area of Alberta.
- Our recently completed Four Schools Oral History Project has documented school and community life in Bearspaw, Glendale, Westminster and Glenbow school districts in the 1900s.
- The Bearspaw Historical Society has submitted a book manuscript "*School Days and Community Life: Memories from Westminster, Glendale, Bearspaw and the Glenbow School Districts of Alberta*" to Kingsley Publishing which will be printed in early January 2019. The book is based oral interviews we conducted with former students of the four schools that operated in the area in the early 1900s until 1965.

- We currently have 29 active members of our Society and volunteers from the Community are always willing to help us when asked.

Please describe in detail the work to be carried out and the need for this project
(Please attach a separate piece of paper if you need additional space)

Construction of a Cairn at 253253 Bearspaw Road (Bearspaw Historic School Site on Lot 22 MR Plan 9411782)

The Society has begun preparations for the 100th anniversary in 2020 of the Historic Bearspaw One Room School, the only school preserved and remaining in our district of Bearspaw, Westminster, Glendale and Glenbow). The school opened its doors to students in late August of 1920 and so we plan to have an event around this date at our school site here in Bearspaw.

We have gathered much information and many photographs over the time we have worked on the Oral Histories so we would like to construct a Cairn to commemorate the Four Schools of this early school district for the community to read and enjoy for years to come and have the Cairn completed in time for the event.

Of course, we will have to carefully select limited wording and photos but it will let everyone know that there were originally four schools operating at the time.

The Cairn would be four sided and each will display a 25inch by 36 inch panel (½ inch XT High Pressure Laminate profile), by M2 Designs – Virri and Marr Missal (\$ 2,887.50 see estimate) and Outdoor Museum – Mike O'Brien (approximate cost as per estimate would be \$2,400 (4 panels) + \$180.00 (installation) = \$2,580.00 with \$ 435.00 estimated for packaging, shipping and insurance. \$ 3,015.00 plus GST (\$3,165.75)

The base and construction of the frame would be prepared by Wood Buffalo Construction (John Bancroft) with the help of our membership. The base would be covered in concrete and possibly faced with local split stone. This would be decided by the membership of the Society with John`s advise. John will supply the labour but materials will cost approximately \$ 2,000.00.

Describe how the project will benefit your community and the County

The Bearspaw Historical School Site is used extensively by many groups from the County and beyond throughout the year and it is a great place for children and adults to learn about what community life and school days were like as far back as 100 years. Displaying a Cairn on the site is a visual interpretation of how different things were here in the early days of our area.

The County has supported other areas in the County i.e. Sharp Hills Community Park north of Calgary near Airdrie with information plaques and it has really enhanced the education of those who walk on the trails.

It would be the same here in Bearspaw for sure.

Please indicate the number of people who access your facility, amenity or program for which funding is being sought who reside in:

- Within Rocky View County: 200
- Outside Rocky View County boundaries: 100

Is this project located in a neighbouring municipality?

x ☐ No

If yes, how will access to County residents be assured? Is there an existing joint use agreement in place?

What are the annual operating expenses for this facility? \$20,000

How many months of the year does this facility operate? 12 months

Estimated project start date:

Estimated completion date: December 2019 or earlier

Project Budget

Project Budget

Revenue

Requested Grant Amount	\$5, 000.00	Maximum Rocky View County Funding including grant request cannot exceed 50% of total project costs.
Cash Contributions	\$5, 165.00	Please note: Cash contributions and donated in kind represent your matching amount which must equal or exceed grant request.
Donated In Kind	\$600.00	Volunteer hours (8 hours for 5 people at \$15/hr)
Other Grant Funding	\$	Attach a detailed list of other grant funding which has been applied for or approved for this project.
Total Revenue	\$10,765.00	

Total Project Cost and Donated Components Breakdown – If you are applying for funding for more than one project, please provide ALL quotes (3 for each project) in the following table.

Project Description	Quote Cost (A)	Source of Quote	Quote Attached	Quote used for Total Project Cost Calculation Below	Labour* (B)	Equipment (C)
A. Panel Design	\$2,750.00	M2 Designs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
	\$6,250.00	Lime Design	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	\$4,400.00	Metro Art and Design	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
B. Cairn Structure Construction	\$4,400.00	Buffalo Wood Designs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$600.00	
	\$12,000.00	Ongrowing Works	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	\$13,750.00	Metro Art and Design	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C. Fabrication and installation of panels	\$3,015.00	Outdoor Museum	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
	\$3,788.00	Lime Design	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	\$4,000.00	Metro Art and Design	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

*Volunteer labour valued at \$15 per hour as per Rocky View County Bylaw C-7551-2016

Total Project Costs= \$10,765.00 (Sum of A + B + C) → This figure must equal 'Total Revenue' above. Please indicate which quote you are using for this calculation.

Cash Contributions	\$ 5000.00	Please note: Cash contributions and donated in kind represent your matching amount which must equal or exceed grant request
Donated In Kind	\$ 600.00	Volunteer Hours -
Other (Casino Funds)	\$ 5,165.00	Attach a detailed list of other grant funding which has been applied for or approved for this project
Total Revenue	\$ 10,765.00	

Total Project Cost and Donated Components Breakdown

Item/Description	Cost (A)	Quote M2 Design	Labour* (B)	Equipment (C)
Design / Panels	\$ 2,750.00	\$ 2,750.00		
Structure	\$ 5,000.00	\$ 6,000.00	Volunteer work Approx 8 hours for five people \$600.00	
Fabrication of Panels and Installation	\$ 3,015.00	\$ 2,400.00 plus \$180.00 plus \$435 for delivery /installation		
	\$ 10,765.00	11,765.00	\$600.00	

*Volunteer labour valued at \$15 per hour as per Rocky View County Bylaw C-7551-2016

Total Project Costs= \$10,765.00

(Sum of A + B + C) → This figure must equal 'Total Revenue' above

- Include quotes. If not included, indicate source of estimates
- Include confirmation of all corporate in kind materials and/or services (i.e. letter from donor)

- Cash contribution should be supported by Financial Statements and letters from donors of larger cash amounts
- No retroactive funding is permitted for costs that have already been incurred prior to application submission

FINANCIAL ASSISTANCE

A. If your organization has a current operating surplus, capital reserve or unrestricted cash assets, explain what you plan to do with these funds if they are not being allocated to this project.

- Publication Costs for the Book Manuscript remaining to be paid - \$ 20,000.00 (Casino Funds)
- Operating Costs for School Site
- Fire Alert System to be installed on October 9, 2018 \$ 16,000.00
- Copyright Workshop in 2019
- Archival Workshop in 2019
- Insurance and Liability Costs for 2019 (approx. \$1,199.95) (2018)
- Fire Suppression System \$ 20,000.00 in 2019/20

B. If you are unsuccessful in getting approved for the total amount of funds requested, how do you plan on completing the project?

We would approach AGLC to see if we could use part of our upcoming February Casino funds for the project. It is much preferred to give the County full credit for the project and recognize the County with a special recognition on the Cairn.

C. Have you, or are you planning on receiving funding for this project from another government program, municipality or another level of government?

No

If yes, please explain.

Mandatory Attachments

- ☐ Minimum of three (3) quotes - Please see letter attached to the application
- ☐ Audited financial statements
- ☐ List of organization's Officers and Directors

Declaration Statement

We, the two representatives, certify that this application is complete and accurate

Name: Louise McAuley

Title: Past President , Cairn Chairperson

Date: September 30, 2018

Name: Jack Vincent

Title: Treasurer

Date: 2018 / 09 / 30

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Obligations Upon Receiving Grant

Grant recipients will receive a Grant Agreement outlining the approved grant amount, including specific items approved or denied, and the project goals and outcomes expected. Organizations may only spend grant funds on the specific items approved.

Upon completion of the project, recipients must submit a **Project Completion report** detailing how the money was spent and whether or not the stated objectives were achieved. Failure to submit a report may affect future grant application consideration. At any time, grant recipients must permit a representative of Rocky View County to examine records to determine whether the grant funding has been used as intended and approved.

*Please see pages 14 & 15 for evaluation criteria

**Do not send appendices back with application form

Capital Assistance Grant - District

9



Community Recreation Funding
Capital Assistance Grant

Please type or print clearly. Applicants must be a district organization serving County residents.
All information provided is public.

Organization Information

Organization's Name: Bow Valley Community Club

Incorporation Act Registered Under (If Applicable): _____

Incorporation Number: _____

Mailing Address: 255155E, RR 281A Indus, Alberta

Postal Code: T1X 0H7
(All correspondence and cheques will be mailed to this address)

Primary Contact:

Name: Mitch Rose

Telephone: (W) _____ (H) _____ (C) [REDACTED]

Email: [REDACTED]

Alternate Contact:

Name: Laura Tustian

Telephone: (W) _____ (H) _____ (C) [REDACTED]

Email: [REDACTED]

Amount Requested: \$6,450.00

FacilityName of Facility: Bow Valley Curling ClubLegal Description / Address: Plan 041 3952, Block 1, Lot 1MRRegistered Holder of Land Title: MD of ROCKYVIEW

Please give us a brief description of your organization

Our organization is a non profit which provides a quality facility and service to the community.Which includes but not limited to seniors, curlers, hockey players and family.We host numerous events each year as well as rent out our facility to schools and private parties.

Please describe in detail the work to be carried out and the need for this project
(Please attach a separate piece of paper if you need additional space)The parking lot at our facility is in need of new paving as it deteriorating very quickly and is becoming a nuisance for our members and the public. If not fixed it will continue to deteriorate and becoming a safety hazard and could potentially damage vehicles.

Describe how the project will benefit your community and the County

The new paving of our parking lot will relieve stress on our members and the community vehicles and safety. Having this work repair will increase the life span of our parking lot.

Please indicate the number of people who access your facility, amenity or program for which funding is being sought who reside in:

- Within Rocky View County: 90
- Outside Rocky View County boundaries: 150

Is this project located in a neighbouring municipality?

☐ Yes

☒ No

If yes, how will access to County residents be assured? Is there an existing joint use agreement in place?

What are the annual operating expenses for this facility? \$181,588.17

How many months of the year does this facility operate? 6-7 months

Estimated project start date: June 2019

Estimated completion date: August 2019

Project Budget

Revenue

Requested Grant Amount	\$6,450.00	Maximum Rocky View County Funding including grant request cannot exceed 50% of total project costs.
Cash Contributions	\$6,450.00	Please note: Cash contributions and donated in kind represent your matching amount which must equal or exceed grant request.
Donated In Kind	\$	
Other Grant Funding	\$	Attach a detailed list of other grant funding which has been applied for or approved for this project.
Total Revenue	\$12,900.00	

Total Project Cost and Donated Components Breakdown – If you are applying for funding for more than one project, please provide ALL quotes (3 for each project) in the following table.
See Appendix C for an EXAMPLE.

Project Description	Quote Cost (A)	Source of Quote	Quote Attached	Quote used for Total Project Cost Calculation Below	Labour* (B)	Equipment (C)
A. Parking Lot Paving Upgrade	1. \$12,900.00	Aarondale Paving	√	√		
	2. \$13,650.00	Canadian Paving	√	<input type="checkbox"/>		
	3. \$14,960.00	Boss Construction	√	<input type="checkbox"/>		
B.	1.		<input type="checkbox"/>	<input type="checkbox"/>		
	2.		<input type="checkbox"/>	<input type="checkbox"/>		
	3.		<input type="checkbox"/>	<input type="checkbox"/>		
C.	1.		<input type="checkbox"/>	<input type="checkbox"/>		
	2.		<input type="checkbox"/>	<input type="checkbox"/>		
	3.		<input type="checkbox"/>	<input type="checkbox"/>		

*Volunteer labour valued at \$12 per hour as per Rocky View County Bylaw C-7551-2016

Total Project Costs= __\$12,900.00__ (Sum of A + B + C) → This figure must equal 'Total Revenue' above. Please indicate which quote you are using for this calculation.

- **Include quotes.** If not included, indicate source of estimates
- **Include confirmation** of all corporate in kind materials and/or services (i.e. letter from donor)
- **Cash contribution should be supported by Financial Statements** and letters from donors of larger cash amounts
- **No retroactive funding is permitted** for costs that have already been incurred prior to application submission

FINANCIAL ASSISTANCE

- A. If your organization has a current operating surplus, capital reserve or unrestricted cash assets, explain what you plan to do with these funds if they are not being allocated to this project.

- B. If you are unsuccessful in getting approved for the total amount of funds requested, how do you plan on completing the project?

We will need to amass cash over 1-2 year period to enable spending on this project

- C. Have you, or are you planning on receiving funding for this project from another government program, municipality or another level of government?

Yes ☐ No ☐

If yes, please explain.

Mandatory Attachments

- ☐ Minimum of three (3) quotes per project
- ☐ Audited financial statements
- ☐ List of organization's Officers and Directors

- ❖ **PLEASE NOTE:** If you have not heard from us within a week of your application submission, please get in direct contact with Sue de Caen at sdecaen@rockyview.ca.

Declaration Statement

We, the two representatives, certify that this application is complete and accurate

Name: __Mitch Rose_____

Title: __President_____

Date: __September 29, 2018_____

Name: __Marty Baxter_____

Title: __Vice-President_____

Date: __September 29, 2018_____

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Obligations Upon Receiving Grant

Grant recipients will receive a Grant Agreement outlining the approved grant amount, including specific items approved or denied, and the project goals and outcomes expected. Organizations may only spend grant funds on the specific items approved.

Upon completion of the project, recipients must submit a **Project Completion report** detailing how the money was spent and whether or not the stated objectives were achieved. Failure to submit a report may affect future grant application consideration. At any time, grant recipients must permit a representative of Rocky View County to examine records to determine whether the grant funding has been used as intended and approved.

Please see page 15 for evaluation criteria

Do not send appendices back with application form



ROCKY VIEW COUNTY
Cultivating Communities

Community Recreation Funding
Capital Assistance Grant

Please type or print clearly. Applicants must be a district organization serving County residents.
All information provided is public.

Organization Information

Organization's Name: Langdon Community Association

Incorporation Act Registered Under (If Applicable): _____

Incorporation Number: 502133862

Mailing Address: P.O. Box 134 Langdon, AB _____

Postal Code: T0J1X0
(All correspondence and cheques will be mailed to this address)

Primary Contact:

Name: Chrissy Craig

Telephone: (W) _____ (H) _____ (C) [REDACTED]

Email: [REDACTED]

Alternate Contact:

Name: Jessica Smythe

Telephone: (W) _____ (H) _____ (C) [REDACTED]

Email: [REDACTED]

Amount Requested: \$ 731.00

Capital Assistance Grant – District Fall 2017



Facility

Name of Facility: Langdon Park _____

Legal Description / Address: 344 Centre St _____

Registered Holder of Land Title: Rockyview County _____

Please give us a brief description of your organization

The Langdon Community Association (LCA) mission is to rejuvenate and enliven the park, creating a central gathering place and community spirit within Langdon. The LCA also maintains and operates the Field House which establishes a community centre and promotes social, educational, and recreational interests in the community

Please describe in detail the work to be carried out and the need for this project
(Please attach a separate piece of paper if you need additional space)

Langdon Park is a very vibrant and active park. Within the park is the Langdon Fieldhouse, outdoor ice rink, two ball diamonds, a playground, and a skatepark. The outdoor rink is a favorite destination in the winter for the community. As we live in the North, it gets dark by 4 pm in the winter, so the flood lights in the rink are necessary for this amenity to be used. In the spring of 2018, the LCA had to remove one pole quickly, as due to the weather and freeze/thaw cycle, it was breaking apart. We removed it so that it didn't cause more damage to the rink or surrounding houses if it fell. The LCA needs to install a new pole and re mount the light.

Describe how the project will benefit your community and the County.

This project will benefit the community by providing a recreation amenity within Langdon. The outdoor rink is the only rink within Langdon and is fully used all year. The lights provide the ability to use the rink in the winter when it is dark by 4 pm in Langdon. The lights provide a safety as well for the skaters on the rink.

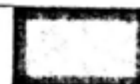
Please indicate the number of people who access your facility, amenity or program for which funding is being sought who reside in:

- Within Rocky View County: ~4000 _____
- Outside Rocky View County boundaries: ~1000 _____

Is this project located in a neighbouring municipality?

- ☐ Yes
- ☒ No

Capital Assistance Grant – District Fall 2017



If yes, how will access to County residents be assured? Is there an existing joint use agreement in place?

What are the annual operating expenses for this facility? \$53000 (all LCA leased area)

How many months of the year does this facility operate? _____ 12 months _____

Estimated project start date: _____ October/November 2018

Estimated completion date: _____ two days after start _____

Capital Assistance Grant – District Fall 2017



Project Budget

Revenue

Requested Grant Amount	\$731	Maximum Rocky View County Funding including grant request cannot exceed 50% of total project costs
Cash Contributions	\$731	Please note Cash contributions and donated in kind represent your matching amount which must equal or exceed grant request
Donated In Kind	\$0	
Other Grant Funding	\$0	Attach a detailed list of other grant funding which has been applied for or approved for this project.
Total Revenue	\$1462.00	

Total Project Cost and Donated Components Breakdown – If you are applying for funding for more than one project, please provide ALL quotes (3 for each project) in the following table.
See Appendix C for an EXAMPLE.

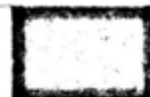
Project Description	Quote Cost (A)	Source of Quote	Quote Attached	Quote used for Total Project Cost Calculation Below	Labour* (B)	Equipment (C)
A. Light Pole Replacement	1.1462.00	Agro Electric LTD	X	<input type="checkbox"/>		
	2 1326.87	Fortis	<input type="checkbox"/>	<input type="checkbox"/>		
	3. 2000.00	Dobbyn Electric Services	<input type="checkbox"/>	<input type="checkbox"/>		

Note: We have casino money we have set aside and AGLC application to use for Fieldhouse/park upgrades. We are seeking matching funds for this project. Quote 1 is too high, and items can be removed, quote 2 is missing some key items we would like to see. We have asked 4 other landscaping companies to give us a quote, with no response. Hopefully we will get one before the grant review board meets.

*Volunteer labour valued at \$12 per hour as per Rocky View County Bylaw C-7551-2016

Total Project Costs= 1462.00 **(Sum of A + B + C) → This figure must equal 'Total Revenue' above. Please indicate which quote you are using for this calculation.**

- **Include quotes.** If not included, indicate source of estimates
- **Include confirmation** of all corporate in kind materials and/or services (i.e. letter from donor)
- **Cash contribution should be supported by Financial Statements** and letters from donors of larger cash amounts
- **No retroactive funding is permitted** for costs that have already been incurred prior to application submission



FINANCIAL ASSISTANCE

- A. If your organization has a current operating surplus, capital reserve or unrestricted cash assets, explain what you plan to do with these funds if they are not being allocated to this project.

We do not have an operating surplus, capital reserve or unrestricted cash.

- B. If you are unsuccessful in getting approved for the total amount of funds requested, how do you plan on completing the project?

If we are unsuccessful in getting approved, we will replace the pole with some of the fundraising money that is ear marked for programing/events.

- C. Have you, or are you planning on receiving funding for this project from another government program, municipality or another level of government?

Yes No **X**

If yes, please explain.

Mandatory Attachments

- ☐ Minimum of three (3) quotes per project
- ☐ Audited financial statements
- ☐ List of organization's Officers and Directors

- ❖ **PLEASE NOTE:** If you have not heard from us within a week of your application submission, please get in direct contact with Sue de Caen at sdecaen@rockyview.ca.

Declaration Statement

We, the two representatives, certify that this application is complete and accurate

Capital Assistance Grant – District Fall 2017



Name: Chrissy Craig *Craig*Title: ChairDate: Oct 1, 2018Name: Jessica Smythe *Jessica Smythe*Title: Vice-ChairDate: Oct 1, 2018

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Obligations Upon Receiving Grant

Grant recipients will receive a Grant Agreement outlining the approved grant amount, including specific items approved or denied, and the project goals and outcomes expected. Organizations may only spend grant funds on the specific items approved.

Upon completion of the project, recipients must submit a **Project Completion report** detailing how the money was spent and whether or not the stated objectives were achieved. Failure to submit a report may affect future grant application consideration. At any time, grant recipients must permit a representative of Rocky View County to examine records to determine whether the grant funding has been used as intended and approved.

Please see page 15 for evaluation criteria

Do not send appendices back with application form



ROCKY VIEW COUNTY
Cultivating Communities

Community Recreation Funding
Capital Assistance Grant

Please type or print clearly. Applicants must be a district organization serving County residents.
All information provided is public.

Organization Information

Organization's Name: Springbank Community Association

Incorporation Act Registered Under (If Applicable): Societies Act

Incorporation Number: 500000985

Mailing Address: 244259 Range Road 33, Calgary, Alberta

Postal Code: T3Z 2E8

(All correspondence and cheques will be mailed to this address)

Primary Contact:

Name: Karin Hunter

Telephone: (W) [REDACTED] (H) [REDACTED] (C) [REDACTED]

Email: [REDACTED]

Alternate Contact:

Name: Ian Galbraith

Telephone: (W) [REDACTED] (H) [REDACTED] (C) [REDACTED]

Email: [REDACTED]

Amount Requested: \$27,760

Facility

Name of Facility: Future Springbank Recreation, Community & Events Centre

Legal Description / Address: No site identified

Registered Holder of Land Title: N/A

Please give us a brief description of your organization

The Springbank Community Association's mandate is to enhance the quality of life for Springbank and area residents by providing social, recreational and cultural programming and activities.

Please describe in detail the work to be carried out and the need for this project
(Please attach a separate piece of paper if you need additional space)

Earlier this year, our old community hall was demolished. We require a new space for the community to come together. In addition, there has been significant momentum and support for increased indoor recreation, community and event spaces. We believe that it is time to drill down into the specific amenities that are required in Springbank to serve our residents. With the near completion of the RVC West District Recreation Master Plan, this is the right opportunity to define, in detail, the functions and requirements of a broader-purpose community space. Furthermore, it is time we understood the financial implications, risks and opportunities associated with a community facility. The detailed project scope and deliverables are set out in Appendix A.

Describe how the project will benefit your community and the County

Although there has been much discussion about the possibilities for new indoor community spaces, we need more information to make an informed decision about an investment into a community project of this magnitude. We require details on indoor size and components in addition to external space requirements and components so that we can identify an appropriate site. We need a detailed financial picture, both up front and ongoing capital as well as operating financials. We are trying to make fact-based, unemotional and informed decisions and require the help of an outside party at this point to provide these facts, along with other considerations such as trade-offs and risks.

Please indicate the **number of people** who access your facility, amenity or program for which funding is being sought who reside in:

- Within Rocky View County: All West Rocky View residents are welcome (2013 Census: Bragg Creek & area, pop. 2543; Springbank, pop. 3115; Elbow Valley, pop. 5778, Harmony residents, current population est. at <500 but future population of approx. 10,000). Importantly, we plan to provide a range of programming for the approximately 2000 kids that attend the three public schools: Elbow Valley Elementary, Springbank Middle School and Springbank Community High School.
- Outside Rocky View County boundaries: Possible use by City of Calgary residents or other groups, as required to contribute to financial and operating viability.

Is this project located in a neighbouring municipality?

☐ Yes

☒ No

If yes, how will access to County residents be assured? Is there an existing joint use agreement in place?

What are the annual operating expenses for this facility? N/A; this is what we seek to understand

How many months of the year does this facility operate? Our facility will operate 12 months of the year

Estimated project start date: December 2018 or January 2019

Estimated completion date: June 2019

Project Budget

Revenue

Requested Grant Amount	\$ 27,760	RVC to contribute 50% of \$50,000 = \$25,000, plus an additional \$2,760 to recognize the volunteer hours of the Community Association \$27,760. This methodology aligns with the example set out in Policy 317.
Cash Contributions	\$ 22,240	The SCA will source \$22,240 in matching funds, plus contribute another \$2,760 in volunteer labour (184 hours over 2 months) for a total contribution of \$25,000.
Donated In Kind	\$ 0	
Other Grant Funding	\$ N/A	Attach a detailed list of other grant funding which has been applied for or approved for this project.
Total Revenue	\$ 50,000	

Notes: We have requested estimates for this project, rather than quotes, as suggested by Corwin McCullagh. As these are estimates, there is room for movement as we work to refine the deliverables and project scope. Further, the estimates received include a preliminary "concept plan" for the community centre and after discussion at our Board level, we have pulled the "concept plan" out of scope for this feasibility study and will consider that as a next step in this process. We estimate that this is approximately \$30,000 and have reduced the quote accordingly. Further, our community has identified several ways in which we can contribute to the project and estimate that another \$5000 can be saved in certain ways, including user group consultation and financial projections.

Total Project Cost and Donated Components Breakdown – If you are applying for funding for more than one project, please provide ALL quotes (3 for each project) in the following table.

See Appendix C for an EXAMPLE.

Project Description	Quote Cost (A)	Source of Quote	Quote Attached	Quote used for Total Project Cost Calculation Below	Labour* (B)	Equipment ©
A. Feasibility Study for Community, Recreation & Event Centre	1. 85,000	GEC Architects	X	X		
	2. 150,000	Dialogue Architects	X	<input type="checkbox"/>		
	3. 50,000 – 75,000 (Verbal Estimate)	RC Strategies	<input type="checkbox"/>	<input type="checkbox"/>		
B.	1.		<input type="checkbox"/>	<input type="checkbox"/>		
	2.		<input type="checkbox"/>	<input type="checkbox"/>		
	3.		<input type="checkbox"/>	<input type="checkbox"/>		
C. P	1.		<input type="checkbox"/>	<input type="checkbox"/>		
	2.		<input type="checkbox"/>	<input type="checkbox"/>		
	3.		<input type="checkbox"/>	<input type="checkbox"/>		

*Volunteer labour valued at \$12 per hour as per Rocky View County Bylaw C-7551-2016

(Karin Hunter: We have valued labour at \$15/hour as Alberta Minimum wage has changed effective October 1, 2018)

Total Project Costs= 50,000 (Sum of A + B + C) → This figure must equal 'Total Revenue' above. Please indicate which quote you are using for this calculation.

- **Include quotes.** If not included, indicate source of estimates
- **Include confirmation** of all corporate in kind materials and/or services (i.e. letter from donor)
- **Cash contribution should be supported by Financial Statements** and letters from donors of larger cash amounts
- **No retroactive funding is permitted** for costs that have already been incurred prior to application submission

FINANCIAL ASSISTANCE

- A. If your organization has a current operating surplus, capital reserve or unrestricted cash assets, explain what you plan to do with these funds if they are not being allocated to this project.

We would like to preserve our funds for two purposes: 1) for use as community contributions towards the construction of a community facility; and 2) for the relocation and possible restoration of the original Springbank School.

If you are unsuccessful in getting approved for the total amount of funds requested, how do you plan on completing the project?

We will tap into our community expertise, which consists of recreation experts and project managers. We will also use third party advice to some extent, however sparingly, for critical elements. Unfortunately, we recognize that recommendations coming out of our community might not carry the same weight as recommendations coming from a professional service firm, with expertise in this type of assessment. The risk of us continuing on our own is that we will invest hundreds of hours into a project whose outcomes may not be endorsed by Rocky View County.

B. Have you, or are you planning on receiving funding for this project from another government program, municipality or another level of government?

Yes ☐ No ☒

If yes, please explain.

We have not submitted any other requests for government funding for this project. However, we will look to see whether there are any appropriate grants to supplement our community contributions for this and other community projects.

Mandatory Attachments

- ☒ Minimum of three (3) quotes per project
- ☒ Audited financial statements
- ☒ List of organization's Officers and Directors

❖ **PLEASE NOTE:** If you have not heard from us within a week of your application submission, please get in direct contact with Sue de Caen at sdecaen@rockyview.ca.

Declaration Statement

We, the two representatives, certify that this application is complete and accurate

Name: Karin Hunter

Title: President

Date: October 1, 2018



Name: Ian Galbraith

Title: Treasurer

Date: October 1, 2018



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Obligations Upon Receiving Grant

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Upon completion of the project, recipients must submit a **Project Completion report** detailing how the money was spent and whether or not the stated objectives were achieved. Failure to submit a report may affect future grant application consideration. At any time, grant recipients must permit a representative of Rocky View County to examine records to determine whether the grant funding has been used as intended and approved.

Please see page 15 for evaluation criteria

Do not send appendices back with application form

POLICY

#317



Title:
Community Recreation Funding

Legal References:

Provincial Act(s): Municipal Government Act
 Provincial Regulation(s):
 Council Resolution(s):
 Others: Reserve Agreement between Rocky View County, Rocky View Schools and the Calgary Roman Catholic Separate School District No. 1
 Recreation Cost Sharing Agreements with Municipalities

Policy Category:

Recreation & Community Support

Cross References:

Supersedes: Policy 202
 Procedure 307
 Others: Master Rates Bylaw
 Land Use Bylaw
 Municipal Development Plan (County Plan)
 Parks & Open Space Master Plan
 Community Needs Survey 2010
 District Recreation Master Plans (in development)

Adoption Date:

April 24, 2012

Effective Date:

April 24, 2012

Revision Date(s):

October 14, 2014

October 25, 2016

April 4, 2017

September 5, 2017

Purpose:

Rocky View County values the contribution that the not-for-profit sector makes in the provision of recreation facilities, programs, and services for public benefit. The County is known for its vibrant volunteer community. Many of these volunteers serve the community through not-for-profit organizations that provide a range of cultural, social, recreational, sport, and other community-based programs and services that the County could not sustain without their involvement. In addition to the direct services they provide, the not-for-profit sector develops community leadership and empowers citizens to build strong and caring communities.

The purpose of this policy is to provide eligibility criteria and evaluation guidelines for the awarding of Community Funds to organizations providing access and services to Rocky View County residents.

This policy also establishes a framework of principles with which to guide recreational development and ongoing partnerships that provide public recreational opportunities, and enhance recreational facility services for greatest community impact.

Definitions:

"Access" means that all County residents shall receive equity through accessible, available, and affordable services, programs, and facilities.

"Accountability" means that community partnerships demonstrate good governance practices, such as financial accountability, transparency, due diligence, equity, and fairness to assure the best value for public funds.

"Administration" means an employee(s) of Rocky View County.

"Alignment" means that partnerships are based on mutual interest, common objectives, clear responsibility, joint investment of resources, shared risk and benefits.

"Applicant" means an organization or individual applying for a grant pursuant to this policy.

"Building" includes anything constructed or placed on, in, over, or under land, but does not include the highway or public roadway.

"Business Plan" is a strategic plan that places financial planning and financial performance at its core; charting the future course of an institution through a realistic projection of operations, capital and marketing projections.

"Cash-In-Lieu" means money acquired instead of land for municipal reserves.

"Capital" means funding for an expenditure creating future benefits, a fixed asset, or a tangible item.

"Community Impact" means the maximum return on recreation investment yielded by funding partnerships and sustained results for Rocky View County residents.

"Component" – a portion of a facility used for a specific function or activity; i.e. gymnasium, fitness centre.

"Conflict of Interest" is a situation that has the potential to undermine the impartiality of a person because of the possibility of a clash between the person's self-interest, their professional interest, and/or the public interest.

"Cost Sharing Grants" are funds approved by the County and may be proportioned up to a maximum of 50% of the total project cost to be contributed by the County.

"Council" means the legislative assembly of Rocky View County.

"County" refers to Rocky View County.

"Development" means:

- a) A change of use of land; or
- b) A change in the footprint of the land.

"Development Permit" means a document issued pursuant to the Land Use Bylaw authorizing development.

"Dissolution Agreement" is a document that sets out the allocation of assets in the event of termination when the County invests in a facility for which it does not hold title.

"District Facility" is a *facility* with two or less components that provides services according to defined district service boundaries, provides managed access, and the prime activity for which involves a paid or programmed recreational use. Facility services may be provided through an alternative municipal service provider, with public access negotiated through an intermunicipal cost sharing agreement.

"District Recreation Boards" are Council appointed volunteer Boards of members who reside within a specific geographical area are tasked with the responsibility of providing recommendations to Council on the operating, capital funding, open space, and recreational needs within their designated boundaries.

"Emergency Funding" is defined as resourcing provided for repairs to a facility that could not remain open nor operate safely if the repairs are not completed.

"Facility" is a building or other physical feature or improvement designed, constructed, and managed for recreational use.

"Fee Simple" are any lands that are held in freehold title, owned by Rocky View County, and are unencumbered by a reserve designation.

"Incorporating Documents" - means the legal instruments by which an Applicant is incorporated or created; includes an Application for Incorporation, Articles of Incorporation, Memorandum of Association, Articles of Association, and Bylaws.

"Inter-municipal Recreation Cost Sharing Agreement" is an agreement between the County and the identified municipality that outlines detailed information on the planning, development, funding, maintenance, and operation commitment of recreational and cultural amenities by both the County and the identified municipality.

"Joint Regional Facility" – a classified regional recreational facility designed and operated in synergy under shared funding with other regional facilities within a service planning catchment area established and classified by Policy & Priorities Committee by Schedule A – Procedure 317.

"Life Cycle Plan" is defined as the documentation and inventory of the facility's assets, which includes a repair and/or replacement schedule and the costs associated with the scheduled repair and/or replacement.

"Master Rates Bylaw" is a Council-approved regulation that includes a consolidation of rates charged to the public for various municipal services.

"Municipality" means any civic entity other than Rocky View County.

"MSI" means Municipal Sustainability Initiative; a provincially supported grant program. Under the MSI program, the province sets the criteria by which projects must qualify, and the County Council sets the individual priorities for those projects that meet the eligibility criteria.

"Not-for-Profit" organization incorporated under the Societies Act of Alberta or the Agricultural Societies Act whose objectives reflect their interest in serving the recreation needs of the public without realizing a profit to its members.

"Operational Costs" are the expenses related to the operation of a program, service or facility.

"Partnership" is two or more organizations working together towards a joint interest where there is:

- a) Definition of authority and responsibility among partners;
- b) Joint contribution of input costs (e.g. time, funding, expertise, information);
- c) Sharing of risk among partners; and
- d) Mutual or complementary benefits.

"Performance Outcomes" are measurements of the end results that indicate whether the service actually produced the intended benefits, and includes a combination of financial and non-financial measurements.

"Policy and Priorities Committee" is an advisory committee comprising all Councillors with a broad mandate to hear public presentations and make recommendations to Council regarding all recreation related matters; this includes new community initiatives, policy development, and funding requests for regional recreation facilities.

"Programs" are defined as formal, planned, instructor led opportunities for individuals to develop skill or understanding in a specific content area; whether through registering for, or dropping into, a scheduled activity. It does not refer to participant led unstructured activities that are accessed at public open spaces or through admission into a facility, nor the rental of parks, playgrounds or facilities by individuals or groups.

"Public Use Agreement" – an agreement with the successful applicant for community funding outlining minimum conditions for accommodating public use and provision of opportunities for public participation in programming and facility use and required steps to publicize and encourage this use.

"Public Use Facilities" means any property or *facility* that has been designated through an agreement with Rocky View County as being available for use by individuals, groups, or other organizations that are not directly associated with the County.

"Publicly Supported School Authorities" includes Rocky View Schools and the Calgary Roman Catholic Separate School District No. 1.

"Recreation" an experience that results from freely chosen participation in physical, social, intellectual, creative, and spiritual pursuits that enhance individual and community wellbeing.

"Recreation Districts" are defined by geographical areas within which Recreation Boards enable the delivery of recreational services to residents.

"Recreation Levy" means the application of annual tax to residential properties to support recreation and culture.

"Recreation Master Plan" is a Council approved planning document that defines the recreational and cultural needs of residents.

"Regional Facility" is a *facility* that is determined by the County to be qualified as such, is owned or co-owned by the County, or is financially supported by the County but resides in another municipality and must provide public access without discrimination to County residents.

Further, a *regional facility* is a public facility designed and operated to include an integrated range of recreational interests, skill levels, and service areas. It is responsive to the needs of all ages and abilities, and contributes to a sense of community. It incorporates multiple indoor and outdoor components, participation and opportunities for both structured and organized sport, as well as unstructured and spontaneous recreational activities. Facility services may be provided through an alternative municipal service provider with public access negotiated through an intermunicipal cost sharing agreement.

"Regional Service Planning Catchment" means the geographic area from which a regional facility or joint regional facility attracts clients or customers for facility use. Catchment areas establish facility service levels centred on meeting public expectations for access and program availability.

"Reserve Agreement" means joint use agreement between Rocky View County, Rocky View Schools, and the Calgary Roman Catholic Separate School District No. 1 for the planning, development, funding, maintenance, and

operation of all reserve lands in Rocky View County.

"Reserve Lands" means any lands that have been provided by a registered owner as municipal reserve (MR) or municipal and school reserve (MSR) (in each case, such terms shall not include lands held as environmental reserve) under the provisions of the Municipal Government Act. **"Subdivision Approving Authority"** means a Council appointed committee that has the authority to specify the amount, type, and location of reserve land, or money in lieu thereof.

"Sustainability" refers to the relationship between financial sustainability and organizational self-sufficiency in resourcing required for maintaining general operations independent of public funds.

"Stewardship" means the caretaking of public resources, and is a responsibility inherent in all County funding partnership arrangements, as such all arrangements shall result in the delivery of high-quality and sustainable services, programs and facilities for the community.

"Voluntary Community Groups" are non-profit groups or organizations that exist to serve the public benefit, are typically governed by a voluntary board of directors, and depend on volunteers to carry out essential parts of the groups' or organizations' work.

"Volunteer" is anyone who offers time, energy, and skills of his or her own free will for the mutual benefit of the volunteer and the organization. Volunteers work without financial compensation, or the expectation of financial compensation beyond an agreed-upon reimbursement for expenses.

"Voluntary Recreation Contribution" means a voluntary monetary donation by owners and/or developers, as per the Master Rates Bylaw, applied to each new unit for residential or non-residential development.

Policy Statement:

Rocky View County:

1. May provide limited operating and capital assistance to not-for-profit organizations whose facilities, programs or services result in benefits to County residents;
2. Encourages and supports partnership opportunities that enhance quality of life through cultural, recreation, sport, and leisure experiences, and community development opportunities.

Regional Facilities Guidelines:

The Policy and Priorities Committee shall determine, through a formal motion of Council, which facilities qualify as a *regional facility* or as a joint regional facility as per the criteria specified in Procedure #317 and Regional Service Planning Catchments forming Schedule A – Procedure #317..

The Policy and Priorities Committee, with formal approval from Council, has the authority to amend regional eligibility criteria as they deem appropriate to meet the needs of the County.

The Policy and Priorities Committee, with formal approval from Council, has the authority to alter the status of a *regional facility* and service catchment resourcing as it deems necessary to meet the needs of the County.

Only identified *regional facilities* have access to identified regional operational or capital funds. Facilities classified as 'joint regional' shall collaboratively plan and share resourcing allotted to a service planning catchment. Funds to be allocated in accordance with the Council approved annual operational budget.

The County shall allocate funding to each designated regional facility annually on or before July 15 of each year, as approved by Council. Existing Inter-municipal recreation cost sharing agreements shall take precedence over this policy. This funding is not to be considered as matching funds for further cost sharing grants from the County.

All regional facilities must apply annually through the Policy and Priorities Committee to be eligible for annual funding.

The County shall permit regional facilities to apply for capital funding. Capital funding will be based on an opportunity to cost share up to 50% of the total project cost; however, this will be at the discretion of the Policy and Priorities Committee and Council. If the facility is located within a neighbouring municipality, the cost sharing formula will be based on: a) up to 25% contribution from the County; b) up to 25% from the neighbouring municipality where the facility resides; and c) a minimum of 50% funding being provided from the facility.

Upon Council's approval, regional facilities will have access to the Regional General Fund once they have depleted funds from their individual recreation facility capital accounts.

The County shall permit regional facilities to apply for emergency funding. Emergency funding will be based on an opportunity to cost share up to 50% of the total project cost; however, this will be at the discretion of the Policy and Priorities Committee. If the facility is located within a neighbouring municipality, the cost sharing formula will be based on: a) up to 25% contribution from the County; b) up to 25% from the neighbouring municipality where the facility resides; and c) a minimum 50% funding being provided from the facility.

Council will review capital funding requests that have been recommended by the Policy and Priorities Committee in April and November of each year.

Emergency funding requests, in consultation with the Policy and Priorities Committee, will be presented directly to Council for approval.

The County shall permit regional facilities to apply for expansion funding if the project is supported by evidence of public need. Possible cost sharing will be determined with each application. Application requirements for expansion will be considered on a project by project basis.

Expenditures incurred prior to approval of the capital project by Council will not normally be considered for funding.

Facilities shall recognize the County as a source of funding for any capital projects. Recognition can be achieved with signage, or another source of recognition, pending discussion with County administration.

Non – Eligible Regional Capital Items:

1. Items that fall within the facility's life cycle plan, or will fall within the facility's life cycle plan in the future, and individually are \$10,000 or less to replace/repair.
2. Libraries, theatres, and museums, unless they are attached to a recreation facility.
3. Consumable and/or items including but not limited to kitchen items, sports equipment, entertainment units, tools, maintenance supplies, or any items that have a life span of less than five years.
4. Reimbursement of employee hourly wages.
5. Volunteer hours that are not directly associated with the construction of the project.
6. Projects on private property without a public interest to the land.
7. Projects that do not allow reasonable access to the public.

District Facilities Guidelines:

The County shall permit district facilities and organizations to apply for annual operating funding each spring. Applications are processed through their District Recreation Board or Recreation Boards where residents utilize their facilities or programs.

District facilities have sole access to district operating and capital funds, and regional facilities are not permitted to use these identified district funds.

Annual operating funding requests will be reviewed by the District Recreation Boards in February/March, with recommendations from the District Recreation Boards being reviewed by Council in June; if approved, funds will be disbursed to facilities prior to July 15 of each year.

Facilities and organizations must apply annually through their District Recreation Boards to be eligible for annual operating funding. Operating grants are not considered cost sharing grants.

Council will review capital funding requests that have been recommended by the Recreation Boards in April and November of each year.

Capital funding requests will be based on an opportunity to cost share up to 50% of the project cost; however, this will be at the discretion of the District Recreation Board and Council for facilities located in the County. If the facility is located within a neighbouring municipality, the cost sharing formula will be based on: a) up to 25% contribution from the County; b) up to 25% from the neighbouring municipality where the facility resides; and c) a minimum 50% funding being provided from the facility.

The County shall permit district facilities to apply for emergency funding based on the opportunity to cost share up to 50% of the total project cost; however, this will be at the discretion of the District Recreation Board. If the facility is located within a neighbouring municipality, the cost sharing formula will be based on: a) up to 25% contribution from the County; b) up to 25% from the neighbouring municipality where the facility resides; and c) a minimum 50% funding being provided from the facility.

Upon Council's approval, Recreation Boards will have access to the District General Fund once they have depleted funds from their individual district capital accounts.

The County shall permit district facilities to apply for expansion funding if the expansion falls within the County's Recreation Master Plan and the District's Recreation Master Plan. Possible cost sharing will be determined with each application.

Application requirements for District facilities and organizations are specified in Procedure #317B.

Non-Eligible District Capital Expenditures:

1. Libraries, theatres, and museums, unless attached to a recreational facility.
2. Consumable and/or items including but not limited to kitchen items, sports equipment, entertainment units, tools, and maintenance supplies, or any items that have a life span of less than five years, or items under \$5,000.
3. Reimbursement of employee hourly wages.
4. Volunteer hours that are not directly associated with the construction of the project.
5. Projects on private property without a public interest to the land.
6. Projects that do not allow reasonable access to the public.

Facility Volunteer Hour Contributions:

The County shall permit facilities and organizations to apply volunteer hours to their funding contribution portion on the capital project where funding is being requested.

E.g.: Total project cost = \$1,000

County contribution = \$600 Cash (\$500 for 50% contribution and additional \$100 to recognize volunteer labour)

Facility contribution = \$400 Cash and \$100 for labour (*includes 10 volunteer hours at the dedicated per hour rate set out in the County's Master Rate Bylaw.*)

Allocation of Funds:

Budgeted resourcing for District Board activities (Tax Levy) shall be apportioned to the recreation district in which it was generated. Council will also apportion a percentage of the annual departmental budget to support identified regional facilities.

Monies received for capital projects through the County's Cash-In-Lieu/Public Reserve program, shall be allocated between the County and the publicly supported school authorities operating in the County, in accordance with the agreement between them.

The County's portion of the Cash-In-Lieu/Public Reserve funds received, including the proceeds from the sale of reserve lands, is apportioned as follows: a) 5% to the District Capital Fund; b) 25% to the Regional Capital Fund; and c) 20% to the Recreation District in which the subdivision was located. These funds are to be used for capital projects.

The County's portion of Voluntary Recreation Contribution funds received is apportioned 100% to the Recreation District in which the subdivision was located, and these funds are available for regional and district projects respectively as directed and approved by Council. These funds are to be used only for new projects, or expansion of capital projects.

Interest income generated on the municipal portion of the reserve monies and the Recreation Tax Levy monies shall be allocated to the Municipal Reserve Fund. Interest income generated on the school authorities' portion of the monies shall be allocated proportionally to the School Funds.

Subject to Council approval, the interest earned on the Municipal Reserve Funds and funds allocated to the District and Regional section of the Public Reserve may be designated for maintenance of Municipal Reserve Parcels and Public Parks.

The unused operating dollars within each Recreation District account will be transferred to the Recreation District specific Capital Public Reserve account annually. Unused operational funds at the regional facilities will remain within their individual accounts. Tracking of allocations to specific Recreation Districts will be completed by the

appropriate Administrative function of the County.

These funds will be available for future capital projects, life cycle enhancement or debt service costs for debts incurred to fund a capital project or life cycle enhancement.

Conflict of Interest

Should the County determine a Not-for-Profit's Board or any of its directors, officers, or employees have a conflict of interest, and it is not corrected to the satisfaction of the County, then the County may withhold or withdraw approved funding without notice.

Application Process :

Applicants can only submit one operating funding application per facility or program per fiscal year.

Applicants can submit capital funding request per facility or program no more than twice per year.

The County's fiscal year is January 1 to December 31.

Due to the volume of applications received, and the limited amount of funds available, not all eligible projects will receive funding.

Timelines:

Type of Funding	Received Date	Recommendation From	Decision Date	Approved By
Annual Operating	January to March	District Recreation Board	TBD	Council
Annual Regional	January to March	Policy and Priorities Committee	TBD	Council
Capital	March & October	Policy and Priorities Committee and/or District Recreation Board	TBD	Council
Emergency Capital	Anytime	County Administration	First Opportunity	Council
Capital Expansion	March & October	Policy and Priorities Committee and/or District Recreation Board	Not Specified	Council
Capital for New Facility	March & October	Policy and Priorities Committee and/or District Recreation Board	Not Specified	Council

Evaluation Criteria:

Seven criteria will be used to evaluate Applications.

A. Alignment with County Policy:

1. Community Recreation Funding Policy 317 – Definitions and guidelines.
2. Rocky View County Strategic Plan
3. District Recreation Master Plans;
4. Parks and Open Space Master Plan;
5. County Plan;
6. Registered non-profit organization under the Societies or Agricultural Societies Acts;
7. Incorporating documents that demonstrate a recreation service mandate.

B. Community Benefits

1. Creates a new or enhanced recreational and/or cultural amenity;
2. Enhances accessibility;
3. Contributes to community physical attributes;
4. Expands or creates more volunteer opportunities;
5. Contributes to safer communities;
6. Promotes diversity and/or inclusion for County residents;
7. Provides public use facilities; and
8. Sound stewardship of public resources.

C. Partnership & Operational Viability

1. Compliments the design and operations other facilities' in line with regional service planning catchment areas as defined by Schedule A – Procedure 317;
2. Adopts Performance Measures to assess community impact and public value;
3. Public Access Agreement exists between County and facility service provider
4. If applicable, Intermunicipal Partnership:
 - 4.1 The complimenting municipality supports inter-municipal recreation agreements;
 - 4.2 The complimenting municipality supports the capital project; and
 - 4.3 The complimenting municipality has approved cost sharing with the County.

D. Project Viability

1. A minimum of 50% funds raised or committed;
2. Other funding opportunities have been sourced;
3. Project can be completed if the full funding grant request is not approved; and
4. Project is part of facility's capital priority plan and/or life cycle plan.

E. Capital Expansion: Planning & Financial Sustainability (applicable for new development)

1. A completed five year Life Cycle Plan;
2. A completed, current, Business Plan;
3. A completed Financial Operational Sustainability Projections Plan spanning five to ten years;
4. A completed, detailed Feasibility Study;
5. A completed Master Site Development Plan;
6. The required public engagement sessions have been completed;
7. Other requested studies related to the project have been completed.

F. Governance

1. Governance structure, policies, and procedures are in place to ensure that the Not-for-Profits operate community facilities in a responsible, equitable, and transparent manner.
2. A clear and appropriate conflict of interest policy that addresses, at a minimum:
 - 2.1 Any transaction by or with the Not-for-Profit organization in which a director, officer, or employee has a direct or indirect personal interest;
 - 2.2 Any transaction in which a director, officer, or employee is unable to exercise impartial judgment or otherwise act in the best interest of the Not-for-Profit organization.

G. Regional Facility Design Principles

1. **Community Hub:** a multipurpose facility of a scope large enough to provide a range of opportunities and services, yet small enough to provide a community focal point where people meet, congregate, feel comfortable, and sense they belong.
2. **Integrated Facilities:** recreation facilities shall be flexible to accommodate artistic and creative pursuits in addition to compatible health, social, and community services to increase opportunities for integration of services and support diversity and inclusiveness.
3. **Grouping of Facilities:** Facilities will be twinned or grouped together to support economies of scale and expanded user opportunities; i.e. tournaments.
4. **Range of Opportunities:** Facilities shall provide a range of opportunities across the County and create synergies in skill and interest development; i.e. ball diamonds that accommodate different sports and all ages.
5. **Flexible Design of Facilities:** Facilities shall be flexible in design with opportunities to accommodate as wide a range of use as possible, and shall be able to be converted to other uses in the future.

All applications will be ranked on the above criteria, with all criteria carrying the same weight of importance. Not all seven evaluation criteria will apply to each application. Funding approvals will be based, in part, on how each project ranks.

Notwithstanding this policy, Council retains the right to approve funding from the Public Reserve for applications that do not meet some or all of the requirements set out in this policy.

November 14, 2018

Chrissy Craig,
Chair Bow North Recreation Board
64 Besse Ave
Langdon, AB
T0J 1X2

Rocky View County Council,

Following our Recreation Board meeting on October 23, 2018 the Bow North Recreation Board is recommending the following 2018 Capital Community Recreation Grant funding to Council for approval:

Bow Valley Community Club **\$6,450.00**

The capital funding request is to help fund parking lot paving repairs outside the Indus Curling Rink, a project that will cost \$12,900.00 in total. The project will enhance the safety of the parking lot, which is used by members of both the Indus Curling Club and the Indus Recreation Centre.

The Recreation Board unanimously supported this request at our October 23 meeting.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in cursive script that reads "C. Craig".

Chrissy Craig, Chair Bow North Recreation Board

Mr. John Sherban
25041 Township Road 254
Calgary, AB T3R 1A2

13 November, 2018

Rocky View Council
911 32nd Avenue NE
Calgary, Alberta
T2E 6X6

Dear Councilors:

Please accept this letter as indication of the Bearspaw Glendale Recreation District Board's formal support for the capital funding request from the Bearspaw Historical Society. This request was discussed during the Recreation Board's October 30, 2018 meeting, and subsequently supported by the voting members.

We recommend that up to \$5,000.00 be approved and provided from the Bearspaw Glendale District Reserve to the Bearspaw Historical Society as per their capital request to assist in the design and installation of interpretive signage at the Bearspaw Historic School.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Sherban', written over a horizontal line.

John Sherban
Vice-Chair, Bearspaw Glendale Recreation District Board

November 14, 2018

Chrissy Craig,
Chair Bow North Recreation Board
64 Besse Ave
Langdon, AB
T0J 1X2

Rocky View County Council,

Following our Recreation Board meeting on October 23, 2018 the Bow North Recreation Board is recommending the following 2018 Capital Community Recreation Grant funding to Council for approval:

Langdon Community Association **\$731.00**

The capital funding request is to help fund the installation of a new power pole and remounting the floodlight at the outdoor ice rink to allow community use of the facility into the winter evening hours. The project will cost \$1,462.00 in total.

The Recreation Board unanimously supported this request at our October 23 meeting.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in cursive script that reads "C. Craig".

Chrissy Craig, Chair Bow North Recreation Board

RECREATION AND COMMUNITY SERVICES

TO: Council **DIVISION:** 9

DATE: November 27, 2018

FILE: 1006-600

SUBJECT: Fall 2018 Friends of Westbrook School Capital Funding Application

¹ POLICY DIRECTION:

The \$100,000 capital funding application made by the Friends of Westbrook School Society (FWSS) to the Ranchlands Recreation Board to support the construction of an expanded size gymnasium at Westbrook School requires evaluation by the Reserves Coordinating Committee, as per the 1998 Reserves Agreement.

EXECUTIVE SUMMARY:

The purpose of this report is to inform Council of a recent capital funding application made by FWSS to the Ranchlands Recreation Board for \$100,000 to support the expansion of the gymnasium as part of the redevelopment of Westbrook School (Appendix A).

The gymnasium size specified by Alberta Education does not accommodate spectator seating for tournaments or special events. Expanding the gymnasium will allow for spectator seating to accommodate tournaments as well as the use of the gymnasium for community events during off-school hours. As the application is for funding to support the construction of a larger size gymnasium at a new school, the consideration of the application fell to the Reserves Coordinating Committee. The Committee met on November 16, 2018 and recommended that Council approve the FWSS capital request for \$100,000.00 to build a larger size gymnasium.

BACKGROUND:

In November, 2017, Rocky View Schools (RVS) decided to expedite the capital replacement process and 'self-fund' a replacement school in Westbrook with \$6 MIL from internal reserve funds. The proposed completion of this project is 2020.

On September 28, 2018 the FWSS, the fundraising arm of the school Council, submitted a capital funding application through Community Funding Policy 317 for \$100,000 to assist with the costs for an expanded gymnasium design. A letter from RVS dated September 27 (Appendix B) outlines the benefits of extended public use should municipal support be forthcoming. As the Westbrook School replacement is comparable to the development of a new school, the capital application from the Friends of Westbrook School Society falls under the jurisdiction of the Reserves Agreement, not Policy 317.

On October 23, 2018, Council made the motion that

Administration be directed to provide a Letter of Notification... to Rocky View Schools (Appendix C).

This letter requested that the Reserves Committee meet to discuss municipal financial support for the larger gymnasium at Westbrook School.

On November 16, 2018, the Reserves Coordinating Committee consisting of two appointed Councillors, and Rocky View and Rocky View Schools Administration, convened to discuss the

¹ **Administration Resources**

Susan de Caen, Recreation & Community Services



Friends of Westbrook School application, and recommended Council's approval of \$100,000.00 towards the project.

The proposed gym expansion will provide an additional 70.4 square metres to the existing gymnasium plans, at an estimated cost of \$200,000.00. Rocky View Schools has agreed to loan the FWSS a matching \$100,000.00 towards this project, with an understanding that the Society will apply for grant funding and fundraise over the next five plus years to repay this loan.

The meeting clarified that, should Council approve, recreation tax dollars in the Public Reserve would be used to fund this application, with no use of Cash in Lieu funds. It was also clarified that no further request for operational funding for the facility would be forthcoming from FWSS. Maintenance and operations of the larger gym would be covered by Rocky View School Division. Administration noted that community access to the school will be ensured by a Reciprocal Use agreement under development by Rocky View School Division. Fees for use will be paid by user groups, not by the County.

The Committee agreed that, given the assurance of year-round public access, the approval of \$100,000.00 from the Ranch Lands Recreation District Public Reserve be recommended by Council to support this project.

BUDGET IMPLICATIONS:

The \$100,000.00 of resourcing for the Westbrook School capital application would come from the Ranch Lands Recreation District Public Reserve. A balance of \$127,049.73 will remain if Council approves the request.

There are no budget implications. The 2018 operating budget includes estimates for District Community Recreation funding grants, so no budget adjustment is required.

OPTIONS:

Option #1: THAT the Friends of Westbrook School Society's request for up to \$100,000.00 to build an expanded size gymnasium at the new Westbrook School be approved from the Ranch Lands Recreation District Public Reserve.

Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Sherry Baers"

"Rick McDonald"

Executive Director
Community Development Services

Interim County Manager

SdC/rp

APPENDICES:

APPENDIX 'A': Friends of Westbrook School Society's Capital Application

APPENDIX 'B': RVS Letter of Support for Application

APPENDIX 'C': Letter of Notification to Rocky View Schools



Community Recreation Funding

Capital Assistance Grant

Please type or print clearly. Applicants must be a district organization serving County residents.
All information provided is public.

Organization Information

Organization's Name: The Friends of Westbrook School Society

Incorporation Act Registered Under (If Applicable): _____

Incorporation Number: 508219953

Mailing Address: RR1 Station Main Cochrane, Alberta

Postal Code: T4C 1A1
(All correspondence and cheques will be mailed to this address)

Primary Contact:

Name: Karen Allison

Telephone: (W) _____ (H) (C)

Email:

Alternate Contact:

Name: Kristi Purnell

Telephone: (W) _____ (H) _____ (C)

Email:

Amount Requested: \$100,000

FacilityName of Facility: Westbrook SchoolLegal Description / Address: N.E. 3 28 4 W5/280265 RR42Registered Holder of Land Title: Rocky View School Division

Please give us a brief description of your organization

The Friends of Westbrook is a not for profit society established primarily as the "charitable arm" of Westbrook School. The Society consists specifically of Westbrook School parents and staff, and exists to raise funds to supplement and enhance our children's learning experience.

Please describe in detail the work to be carried out, the need for this project, and how the project will benefit your community and the County

(Please attach a separate piece of paper if you need additional space)

In the spring of 2018, the plans for our new school were shared with Westbrook School Council and The Friends of Westbrook Society. The new plans include a standard sized gymnasium. Due to the budget for the project, the scope of the new gymnasium will not include space allowances for spectator seating. The proposed construction expansion will provide an additional 70.4 square metres to the existing construction plans (**Attachment A**). The project will commence in June of 2019, and planned completion will be in January 2021. The architect is Iwanski Architecture and construction will be tendered by Rocky View Schools in spring of 2019.

Westbrook School resides in the Ranch Lands District of the County of Rocky View. In the 2013 census, the district reported a population of 4,597 residents. Within this district, two community facilities exist: Dartique Hall and Weedon Community Hall. Although these are great community spaces, they are very limited in size and functionality, when recreational space is in question.

A recent survey conducted by the Friends of Westbrook Society with nearly 100 respondents, clearly demonstrated the need for an accessible community space. Currently, residents drive outside of the district into the Town of Cochrane or other surrounding villages and communities, to access recreational programming. A brief summary of a couple of the questions asked is provided below (Full survey – **Attachment B**).

Do you feel that the community is lacking in space that our new school gymnasium could provide?	96.00% of respondents said YES	
What recreation/leisure or arts/cultural opportunities for yourself or your family would you want to see the new space being used for?	Community sports	93.94%
	Drama, theatre programs and/or events	78.79%
	Music, band and choir programs and/or events	81.82%
	Fitness programs	70.71%
	Other suggestions: 4-H events, community suppers, farmers markets, meetings, adult education, voting, birthday party rentals, craft sales, sports leagues, concerts	

Construction of the new Westbrook School is the perfect window of opportunity for the County to piggyback off of Rocky View School funding, to create a community use facility not currently available in the Ranch Lands District. This project will enhance taxpayer quality of life and provide a multi-functional community facility, without residents having to rely on local municipalities.

Currently, our small gymnasium is host to some big community events such as the Annual Westbrook School Fair and Christmas Concerts. Although these are school-based programs, community residents and school alumni attend and support in droves. Our unique school fair has been running for over 35 years and is a favourite event for students and community residents alike. The school fair runs on the weekend to allow for community resident participation.

Part of the new school project will be the inclusion of a servery. This small area will accommodate a fridge and stove, opening up opportunities to host community dinners and family functions for community residents.

Our current gymnasium has provided limited community use for many years. This is a tight-knit rural community and the buzz regarding the construction of a new larger school for this growing area is exciting. The possibilities of an accessible community space are truly endless.

To realize the need for a community recreation space "after" the fact would be unfortunate. Research completed for gymnasium expansions on existing structures, show costs upwards of **one million dollars**. This opportunity would cost a fraction of that, and is convenient timing wise.

As a strong believer in this expansion project, Rocky View Schools has agreed to loan the the matching funds of \$100,000. As such, The Friends of Westbrook Society has committed to extensive fundraising over the next five plus years to re-pay this loan.

The community and organizations involved are big supporters in this endeavour. We hope Rocky View County will also see this idyllic opportunity to collaborate with Rocky View Schools and The Friends of Westbrook Society, for the creation of a much desired community recreation and cultural facility.

Please indicate the **number of people** who access your facility, amenity or program for which funding is being sought who reside in:

- Within Rocky View County: There are approximately 90-100 families in the school boundary. The Ranch Lands District has a population of 4,597 in 2013
- Outside Rocky View County boundaries: Town of Cochrane population 2016 – 25,853

Is this project located in a neighbouring municipality?

☐ Yes

☒ No

If yes, how will access to County residents be assured? Is there an existing joint use agreement in place?

What are the annual operating expenses for this facility? N/A - Costs are covered by Rocky View School Division.

How many months of the year does this facility operate? Currently 10

Estimated project start date: June 2019

Estimated completion date: January 2021

Project Budget

Revenue

Requested Grant Amount	\$100,000	Maximum Rocky View County Funding including grant request cannot exceed 50% of total project costs.
Cash Contributions	\$100,000	Please note: Cash contributions and donated in kind represent your matching amount which must equal or exceed grant request.
Donated In Kind	\$	
Other Grant Funding	\$	Attach a detailed list of other grant funding which has been applied for or approved for this project.
Total Revenue	\$200,000	

Total Project Cost and Donated Components Breakdown – If you are applying for funding for more than one project, please provide ALL quotes (3 for each project) in the following table.

See Appendix C for an EXAMPLE.

Project Description	Quote Cost (A)	Source of Quote	Quote Attached	Quote used for Total Project Cost Calculation Below	Labour* (B)	Equipment (C)
A. New school gymnasium expansion.	1.*Cost consultant estimated expansion to cost \$200,000	Cost Consultant	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A
	2.		<input type="checkbox"/>	<input type="checkbox"/>		
	3.		<input type="checkbox"/>	<input type="checkbox"/>		
B.	1.		<input type="checkbox"/>	<input type="checkbox"/>		
	2.		<input type="checkbox"/>	<input type="checkbox"/>		
	3.		<input type="checkbox"/>	<input type="checkbox"/>		
C.	1.		<input type="checkbox"/>	<input type="checkbox"/>		
	2.		<input type="checkbox"/>	<input type="checkbox"/>		
	3.		<input type="checkbox"/>	<input type="checkbox"/>		

*Volunteer labour valued at \$12 per hour as per Rocky View County Bylaw C-7551-2016

Total Project Costs= _____ (Sum of A + B + C) → This figure must equal 'Total Revenue' above. Please indicate which quote you are using for this calculation.

- **Include quotes.** If not included, indicate source of estimates
- **Include confirmation** of all corporate in kind materials and/or services (i.e. letter from donor)
- **Cash contribution should be supported by Financial Statements** and letters from donors of larger cash amounts

- **No retroactive funding is permitted** for costs that have already been incurred prior to application submission

FINANCIAL ASSISTANCE

- A. If your organization has a current operating surplus, capital reserve or unrestricted cash assets, explain what you plan to do with these funds if they are not being allocated to this project.

N/A

- B. If you are unsuccessful in getting approved for the total amount of funds requested, how do you plan on completing the project?

Grant funding is necessary for this project to go ahead. If the grant funds are not approved with the support of Rocky View County, it is unlikely we will be able to proceed with the gymnasium extension due to limited finances and timelines.

As noted in the following question, there may be a possibility for the Friends of Westbrook Society to apply for another grant should the timing of it be supported by Rocky View School Division.

Have you, or are you planning on receiving funding for this project from another government program, municipality or another level of government?

Yes ☒ No ☐

If yes, please explain.

Possibly. Should Rocky View School Division confirm that the timing of the Alberta Government Community Funding Enhancement Program Grant (deadline January 15, 2019) fits within the timeline of this project, The Friends of Westbrook Society will apply for this grant.

Mandatory Attachments

- ☐ Minimum of three (3) quotes per project - N/A
- ☐ Audited financial statements - Friends of Westbrook financials attached. (Attachment C)
- ☐ List of organization's Officers and Directors – Attached. (Attachment D)

- ❖ **PLEASE NOTE:** If you have not heard from us within a week of your application submission, please get in direct contact with Sue de Caen at sdecaen@rockyview.ca.

Declaration Statement

We, the two representatives, certify that this application is complete and accurate

Name: Karen Allison

Title: Friends of Westbrook Society Volunteer

Date: September 27, 2018

Name: Kristi Purnell

Title: Westbrook School Council Chair

Date: September 27, 2018

The personal information on this form is being collected for the purpose of determining eligibility of an applicant to receive a Council grant. This information is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act and may become public information once it is submitted to Council during a Council meeting. Questions regarding the collection of this information can be directed to the Manager, Recreation and Community Services at 403.520.6307

Obligations Upon Receiving Grant

Grant recipients will receive a Grant Agreement outlining the approved grant amount, including specific items approved or denied, and the project goals and outcomes expected. Organizations may only spend grant funds on the specific items approved.

Upon completion of the project, recipients must submit a **Project Completion report** detailing how the money was spent and whether or not the stated objectives were achieved. Failure to submit a report may affect future grant application consideration. At any time, grant recipients must permit a representative of Rocky View County to examine records to determine whether the grant funding has been used as intended and approved.

Please see page 15 for evaluation criteria

Do not send appendices back with application form



2651 Chinook Winds Dr. SW, Airdrie, Alberta T4B 0B4
 403.945.4000 p 403.945.4001 f
www.rockyview.ab.ca

September 27, 2018

Sent by E-mail

Ranch Lands Recreation Board
 C/O Susan de Caen
 Rocky View County
 911 - 32 Ave NE
 Calgary, AB T2E 6X6

Re: Proposal for Additional Gym Area within the New Westbrook School Facility Design

To Members of the Ranch Lands Recreation Board:

Rocky View Schools (RVS) supports a proposal, drafted by the Westbrook School Community, in which it is proposed RVS will reconsider the designs for the new Westbrook School, particularly the gym, with the understanding that funding would need to be obtained. The proposal requests that the gym be enlarged, allowing for a more versatile space and providing room for bleachers and/or spectators.

The replacement school is funded in partnership with Alberta Education, Alberta Infrastructure and RVS. The main portion of the school is funded through RVS and the addition of the modular units (classrooms) is to be supported by Government. Unfortunately, the area allocation RVS would be able to support (a total of 465 m², calculated based on school student capacity and area) does not accommodate very much (if any) room for spectators.

Having a larger gym, with room for spectators, would be a wonderful addition to the community, allowing for a much wider range of uses by the entire community. The gym would be available to the larger community, within the scope of Board Policy 22, for reasonable rental rates after school hours. The design allows the gym to be a separate space, located next to the server, which can be used while still maintaining the security of the school, showing RVS' commitment to community use of the gym.

RVS is willing to loan Westbrook School, on behalf of the Westbrook School Community, \$100,000 if the Ranch Lands Recreation District matches the amount to support the gym expansion. RVS is willing to provide the loan as this project is time sensitive and this will allow Friends of Westbrook time to raise the funds needed. The adjustments to the gym size will be at minimal cost as construction and design are already occurring. Construction of this schools is anticipated to start in summer 2019, therefore, RVS needs to decide whether or not to move forward with the expanded gym by November of this year.

Thank you for considering this initiative and proposed venture. If you have any questions, please do not hesitate to contact me either by phone (403-945-4010) or e-mail (cwinter@rockyview.ab.ca).

Sincerely,



Colette Winter
Director of Facility Planning

CW/sd

Cc: Christine Parker, Principal, Westbrook School
Kristi Purnel, Westbrook School Community
Karen Allison, Westbrook School Community



ROCKY VIEW COUNTY
Cultivating Communities

TEL 403-230-1401
FAX 403-277-5977

262075 Rocky View Point
Rocky View County, AB | T4A 0X2
www.rockyview.ca

October 24, 2018

File: 2025-100

Greg Luterbach, Superintendent of Schools
Rocky View School Division No. 41
2651 Chinook Winds Drive Southwest
Airdrie, AB T4B 0B4

Dear Mr. Luterbach,

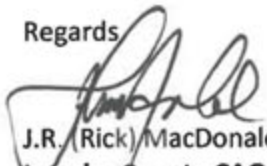
Re: Letter of Notification to Convene Reserves Coordinating Committee

The Friends of Westbrook School (FOW) made a \$100,000 capital grant application to the County to assist with school redevelopment. As the grant funding request is for a new school expanded gymnasium, policy direction comes from the Reserves Agreement (1998) between the County and Rocky View Schools (RVS). Under this agreement the County has appointed Councillors Schule and McKylor to the RV School District/RVC Joint Working Committee of the Board of Trustees. The committee is the forum to discuss municipal financial support for gymnasium development.

This funding request would also provide an opportunity for the County and RVS to update the reserves agreement which is dated. Consequently *this letter serves as notification that Rocky View County requires a commencement of the Committee to discuss the capital grant application for Westbrook School.*

I have suggested County staff meet with your team to set a meeting date to gain a better understanding of RVS plans for Westbrook School and discuss a Committee meeting to discuss the potential for municipal funding and other joint use capital projects expected in the near future such as the artificial turf field in Chestermere and community hall development in Springbank. I have asked Corwin McCullagh, Manager of Recreation & Community Services, to follow this letter up by contacting Colette Winter to arrange a meeting.

Regards



J.R. (Rick) MacDonald
Interim County CAO

cc: Colette Winter, Director of Facility Planning, Rocky View Schools
Kristi Purnel, Westbrook School Community
Richard Barss, Manager, Intergovernmental Affairs
Crystal Kissel, Councillor, Division 9



PLANNING SERVICES

TO:	Council	DIVISION:	5
DATE:	November 27, 2018	APPLICATION:	N/A
FILE:	1012-370		
SUBJECT:	Terms of Reference – Conrich Area Structure Plan Future Policy Area Review		

¹POLICY DIRECTION:

Council approved the Conrich Area Structure Plan in 2015. The existing ASP requires a review of the Future Policy Area lands to determine an expanded hamlet boundary and land use policy for those lands.

EXECUTIVE SUMMARY:

The purpose of this report is to present Council with a Terms of Reference to guide the Conrich Area Structure Plan Future Policy Area Review, in accordance with the adopted Conrich ASP. This project has been scheduled for inclusion on the 2019 workplan, in accordance with the criteria of Council Policy 322: Area Structure Plan Priority Policy.

The Conrich Area Structure Plan (CASP) was adopted by Council in 2015 and amended by MGB Order 020 /17 in 2017. Currently, the CASP (Policy 7.1) does not support local plans, land use redesignation, or new subdivision applications within the Future Policy Area until the County undertakes a review of the Future Policy Area lands to determine an expanded hamlet boundary and the land use policy for those lands.

BACKGROUND:

The CASP Future Policy Area, covering approximately ± 1,100 hectares (± 3,717 acres), includes the hamlet of Conrich and considers an expanded hamlet boundary, a community core, and residential areas.

The lands within the Future Policy Area have received increased development interest since the creation of the CASP; however, until the CASP is amended to provide land use policies for the area, applications for local plans, land use redesignation, and subdivision are not supported. Approximately 18 months has passed since the CASP was amended by MGB Order 020 /17; there is now a need to review the CASP Future Policy Area to provide policy direction for the community, creating certainty for the public, landowners, and investors on how the lands will be developed over time.

The development and regulatory context of the area has also changed significantly since 2015:

- 2018** The Calgary Metropolitan Region Board was established and the Interim Growth Plan and Regional Evaluation Framework were passed.
- 2017** The City of Calgary approved the East Stoney ASP on May 23, 2017. The East Stoney ASP borders the CASP to the northwest and has an estimated population of 5,000 and an estimated 750 jobs.
- 2016** The Province of Alberta reviewed and amended the MGA.

¹ **Administration Resources**
 Sean MacLean, Planning Services



The CASP Future Policy Area Review will involve community and stakeholder engagement, technical review and studies, policy writing, and development of land use scenarios. Should the proposed Terms of Reference be adopted, the project will be initiated in mid-2019.

BUDGET IMPLICATIONS

The Conrich Future Policy Area Review was budgeted for in 2018. Subject to 2018 year end, Administration would recommend this budget amount be carried forward to 2019.

OPTIONS:

- Option #1: THAT the Conrich Area Structure Plan Future Policy Area Review Terms of Reference be approved as presented in Appendix 'A'.
- Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Sherry Baers”

“Rick McDonald”

Executive Director
Community Development Services

Interim County Manager

SM/rp

APPENDICES:

APPENDIX 'A': Terms of Reference



CONRICH ASP

FUTURE POLICY AREA REVIEW

Terms of Reference

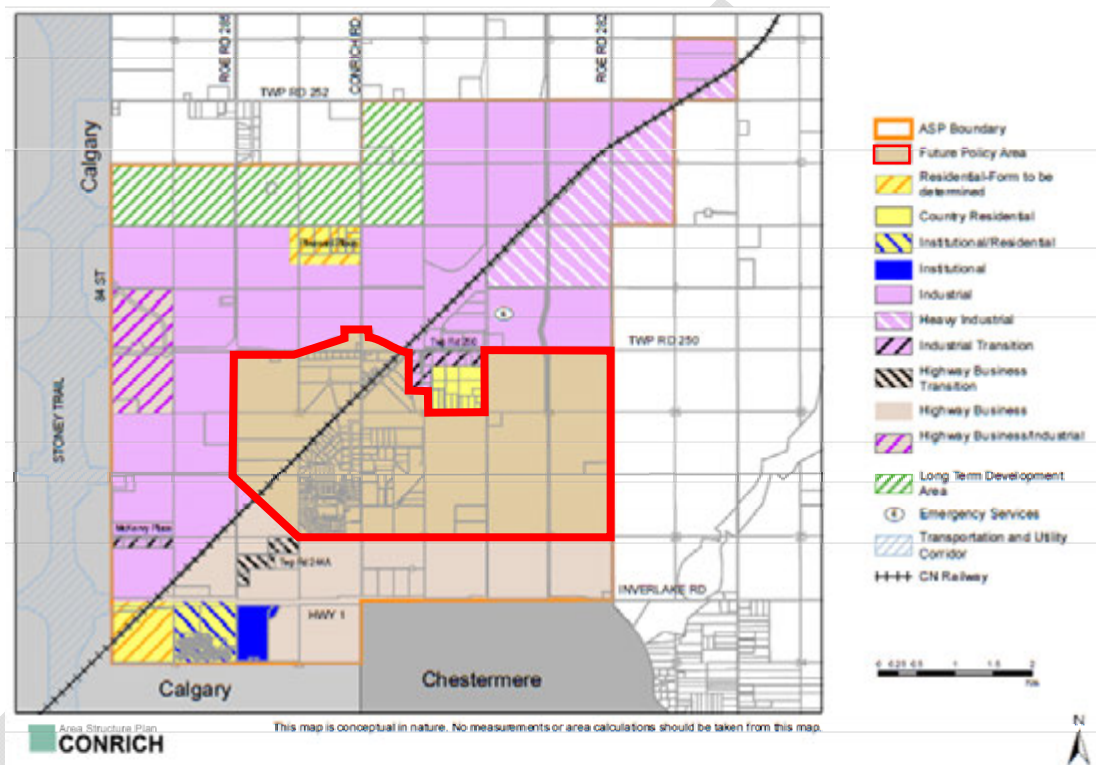
TOR # 1012-370

Introduction

- 1 The hamlet of Conrich is located approximately 3 km north of the city of Chestermere and 3 km east of the city of Calgary. The County's Municipal Development Plan (The County Plan) supports the development of the hamlet as a full service community with services in accordance with the Area Structure Plan.
- 2 The Conrich Area Structure Plan (CASP) was adopted in 2015 and amended by Municipal Government Board (MGB) Order 020 / 17. The CASP guides the future land use, subdivision, and development in the hamlet and the surrounding area. As directed by Action #1 on page 90 of the CASP, Administration has developed these terms of reference.
- 3 The CASP includes a Future Policy Area that is approximately $\pm 1,100$ hectares ($\pm 3,717$ acres) in size (Figure 1 – Conrich Area Structure Plan). The Future Policy Area includes the hamlet of Conrich and considers an expanded hamlet boundary, a community core, and residential areas.
- 4 Currently, Section 7.1 of the CASP does not support local plans, land use redesignation, or new subdivision applications within the Future Policy Area. The CASP Future Policy Area Review will undertake a comprehensive land use strategy for the Future Policy Area lands to determine the extent of the hamlet expansion and the land use policy for the lands. Section 7.0.1 of the CASP does not expect that all of the land within the Future Policy Area will form part of the hamlet. Land not located within the final hamlet boundary will be identified for other uses that are consistent with the CASP.
- 5 The goal of the CASP Future Policy Area Review is to explore the potential development scenarios and to establish a comprehensive land use strategy for lands designated Future Policy Area in accordance with the CASP's visions, goals, and policies. The CASP Future Policy Area Review will provide direction and certainty to the Conrich community and landowners on how the lands will be developed over time.
- 6 Contributing to CASP Future Policy Area Review would be:
 - (1) Community and stakeholders input;
 - (2) Intermunicipal input;
 - (3) Baseline technical studies;
 - (4) Growth projections;
 - (5) Fiscal impact to the County;
 - (6) Benefit to the community;
 - (7) Compatibility and integration with the surrounding area (e.g. CN Calgary Logistics Park);

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- (8) Market demand; and
 - (9) Direction and intent of higher order documents (e.g. Interim Growth Plan and The County Plan).
- 7 The CASP Future Policy Area Review will be a set of amendments to be adopted as part of the CASP, prepared in accordance with the *Municipal Government Act* (MGA).

Figure 1 – Conrich Area Structure Plan.**Study Area**

- 8 As indicated in Section 7.0 of the CASP, the study area encompasses the entirety of the Future Policy Area: $\pm 1,100$ hectares ($\pm 3,717$ acres). The study area includes the hamlet of Conrich, residential uses, commercial use, agricultural uses, institutional uses, and industrial uses.

Base Assumptions and Circumstances

- 9 A number of basic assumptions and circumstances guiding the planning framework for the area have changed since adoption of the CASP in 2015 and the MGB amendment in 2017:
- (1) In 2016 the Province of Alberta reviewed and amended the MGA.



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- (2) The City of Calgary approved the East Stoney ASP on May 23, 2017. The East Stoney ASP borders the CASP to the northwest and has an estimated population of 5,000 and an estimated 750 jobs.
- (3) In January 2018, the Calgary Metropolitan Region Board (CMRB) was established as the provincially mandated growth management board in the Calgary region. Rocky View County became a participating municipality of the CMRB.
 - (a) Under the Calgary Metropolitan Regional Board Regulations (AR190/2017), statutory plans and amendments to statutory plans, to be adopted by a participating municipality, must be submitted to the Board for approval.
- (4) In October 2018, the Interim Growth Plan (IGP) and the Interim Regional Evaluation Framework (IREF) were approved by the CMRB and are awaiting Ministerial approval. Under the IGP, amendments to existing statutory plans shall be submitted to the CMRB for review and approval. The CMRB may approve or reject a statutory plan in accordance with the IREF.
- (5) The CASP Future Policy Area Review will be a set of statutory plan amendments to the CASP. For this reason, the proposed amendments would be subject to the CMRB review and approval under the IGP and the IREF.

Background

History

- 10 The CASP encompasses 68 quarter sections for a total of approximately 4,402 hectares (10,876 acres). The Future Policy Area of the CASP is approximately \pm 1,100 hectares (\pm 3,717 acres) in size and includes the hamlet of Conrich.
- 11 The CASP was adopted by Council on December 8, 2015.
- 12 The CASP was amended by MGB Order 020 / 17 on May 10, 2017.
- 13 A Future Policy Area is identified on the lands south of Township Road 252 and north of the highway business zone in the CASP. Current CASP policy restricts development within the boundary of the Future Policy Area until a review of the Future Policy Area is completed, identifying a land use strategy.

Interim Growth Plan

- 14 The Interim Growth Plan identifies different types of development that would be subject to the CMRB review and approval.
- 15 Under the IGP, the hamlet of Conrich is considered as a 'Settlement area':
 - (1) *Settlement Areas* means all lands located within the limits of planned areas in cities, towns, villages, hamlets, and other unincorporated urban communities. *Settlement areas* do not include county residential areas.



CONRICH ASP

FUTURE POLICY AREA REVIEW

- 16** The IGP indicates that intensification and infill development of settlement areas shall be planned and developed in a contiguous pattern to:
- (1) Achieve an efficient use of land;
 - (2) Achieve higher density development in central core areas;
 - (3) Accommodate residential and/or mixed-use development at a higher density than currently exists;
 - (4) Provide for a mix of uses including community services and facilities, where appropriate; and
 - (5) Make efficient and cost-effective use of existing and planned infrastructure through agreements with services providers.

County Plan

- 17** The County Plan was adopted in 2013 and identifies three fundamental principles of growth for Rocky View County:
- (1) Achieve a moderate level of growth, amounting to no more than 2.5 to 3 per cent of the region's population over the 10 to 12 year time frame;
 - (2) Direct the majority of residential growth to identified areas;
 - (3) Manage residential growth so that it conforms to the County's environmental, fiscal, and community goals, and so that the rural character of the County is retained.
- 18** The County Plan outlines the importance of setting priorities in order to achieve a moderate level of residential growth while maintaining fiscal sustainability. It identifies the Hamlet of Conrich as a 'Hamlet – Full Service' (Figure 2 – County Plan Managing Growth Map).
- 19** In accordance with the County Plan (Policy 9.8), an area structure plan for a hamlet shall address the following planning and design matters:
- (1) Future land use concept;
 - (2) The amount of remaining undeveloped land within existing boundaries;
 - (3) Population estimates and impact on existing services, infrastructure, and amenities;
 - (4) Form, quality, design, and compatibility of proposed development;
 - (5) Potential for enhancements to the main street, crossroads area, and/or community gathering places;
 - (6) Provision of sufficient parks, open space, amenities, and pedestrian connections;
 - (7) Impact on the environment;
 - (8) Interface design with adjacent agricultural land;

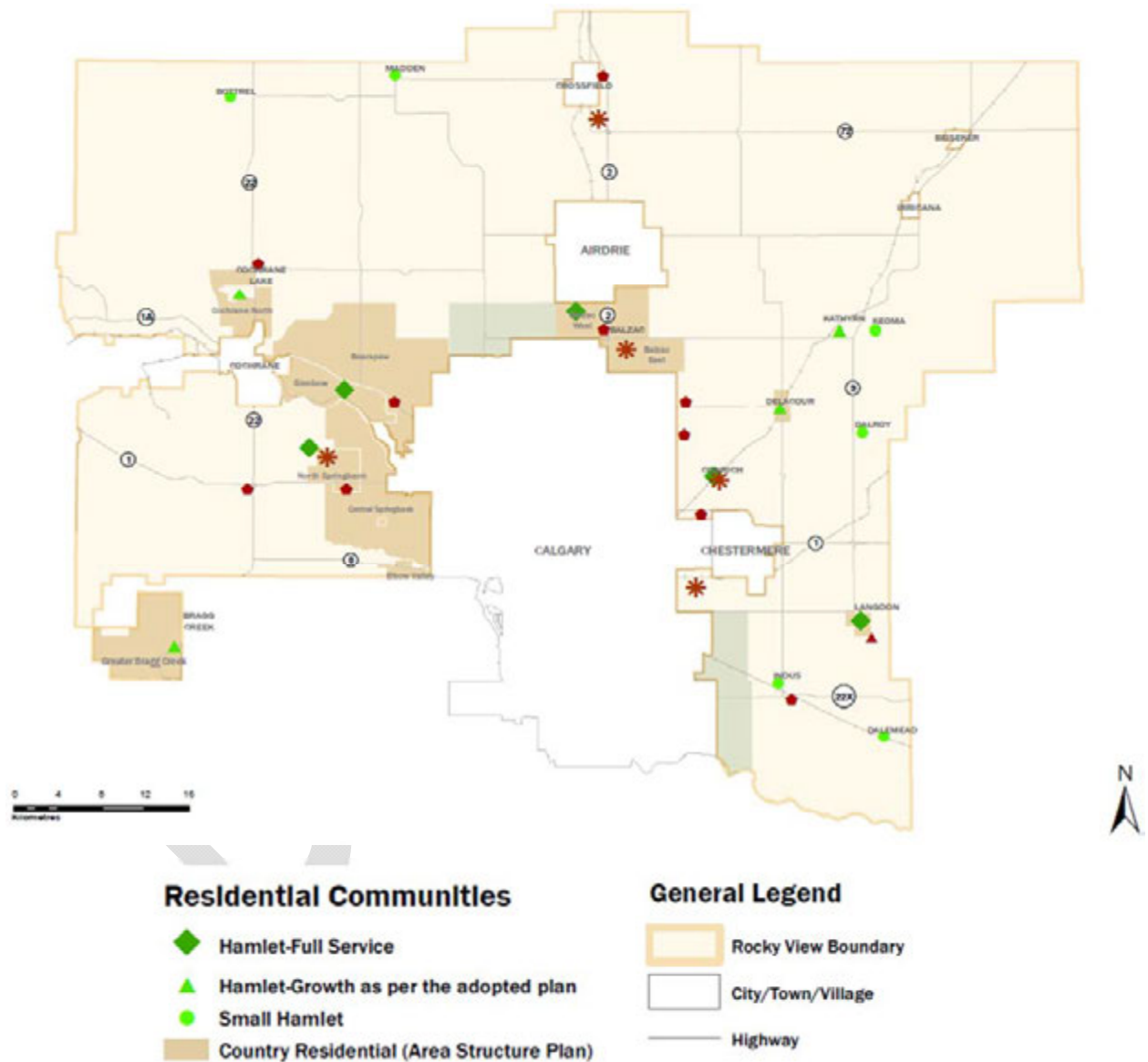


CONRICH ASP

FUTURE POLICY AREA REVIEW

- (9)** Provision for regional transit connections; and
- (10)** The development review criteria identified in section 29 of the County Plan.

Figure 2 - County Plan Managing Growth Map





CONRICH ASP

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Conrich Area Structure Plan

- 20** The CASP consists of a number of goals that are relevant for the Hamlet Expansion Strategy, including:
- (1)** The expansion of the hamlet of Conrich and its evolution as a diverse, vital, residential community.
 - (2)** The integration of residential and business uses in a manner that provides for the transition of land uses, promotes land use compatibility, and mitigates impacts on adjacent lands.
 - (3)** The identification of agricultural land that will remain in production until such time as it is required for other uses, and the protection of the natural environment in the face of significant growth.
- 21** Further to the goals listed above, the CASP also specifies that the Future Policy Area should:
- (1)** identify population and density targets;
 - (2)** include a community core with hamlet commercial uses;
 - (3)** identify the location of future school sites;
 - (4)** identify the location of pathway and servicing connections; and
 - (5)** identify development phasing.

Envisioned ASP Amendments To Date

- 22** The County will prepare amendments to the CASP for the Future Policy Area land in Map 1: Conrich Area Structure Plan.
- 23** The intent of the project is to prepare, for Council's consideration, amendments to the CASP for the Future Policy Area lands shown in Map 1 – Conrich Area Structure Plan.
- 24** The following details the objectives, goals, and project timing that guide the review process.
- (1)** Mapping amendments, which will:
 - (a)** refine the land use strategy to reflect land use planning best practices, development feasibility, and community input;
 - (b)** determine the extent of the expanded hamlet boundary;
 - (c)** reflect results of new technical studies.
 - (2)** Policy revisions in the plan to:
 - (a)** confirm and update the community's vision for Conrich;
 - (b)** align policies with higher-order policy and guiding documents adopted since 2015;



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- (c) create a land use strategy for the Future Policy Area to promote the development of a full-service hamlet with an expanded hamlet boundary;
- (d) update technical policies to reflect new and revised studies; and
- (e) address policy gaps related to the Future Policy Area in the existing CASP identified by Administration and the community.

CASP Amendment Goals

- 25** In addition to the goals already listed in the CASP (see Section 18 and 19), the CASP Future Policy Area Review should also take into account a number of goals:
- (1) Have intent to develop the hamlet expansion area as a distinct and attractive community;
 - (2) Be supported by growth projections, desired growth size, and limitations of servicing;
 - (3) Achieve a logical extension of growth patterns, including vehicular and pedestrian transportation infrastructure;
 - (4) Explore appropriate methods to infill existing development;
 - (5) Explore the use of alternate forms of development, such as compact and/or cluster housing;
 - (6) Demonstrate sensitivity and respect for key environmental and natural features;
 - (7) Allow the County the ability to achieve rational growth directions, cost effective utilization of resources, and fiscal accountability;
 - (8) Achieve effective community consultation in a fair, open, considerate, and equitable manner;
 - (9) Alignment with other planning documents; and
 - (10) Other achievable goals identified by the community.

ASP Amendments' Objectives

- 26** The objectives for the CASP Future Policy Area Review should be achievable, based on existing studies and additional work as described in the following subsections:

Work Plan

- 27** To develop a Work Plan that identifies and implements key process requirements, timelines, and technical analysis that result in the timely creation of a new area structure plan.

Community, Stakeholder, and Intergovernmental Engagement

- 28** To implement an effective and meaningful engagement process with the general community, identified stakeholder groups, and intergovernmental organizations that:



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- (1) Raises the awareness of the planning process and encourages participation;
 - (2) Identifies the full set of issues and opportunities the amendments should address;
 - (3) Shapes the content of the Plan through a blend of research, input, and discussion-focused activities;
 - (4) Responds constructively to the interests of various audiences; and
 - (5) Ensures broad support for the resulting amendments.
- 29 A detailed communications and engagement strategy will identify all relevant interest groups within the study area, the wider Conrich community, as well as intermunicipal partners and external stakeholders affected by the planning process outcomes. The strategy will spell out how the process will proceed through several phases, and how various tools/techniques will be used in each phase to meaningfully engage a range of participants.
- 30 The strategy will identify an engagement strategy to collaborate with our intermunicipal partners, specifically the City of Calgary and City of Chestermere, to ensure compliance with the IGP.
- 31 The strategy will result in a participatory process that is educational, inclusive, transparent, responsive, and timely, and builds community and stakeholder trust.

Plan Creation

- 32 The amendment process will result in:
- (1) A series of proposed amendments to the CASP that removes the Future Policy Area from relevant policies and associated maps, and the recommended adoption of amendments. No other amendments to the CASP are contemplated at this time.
 - (2) A new Plan that meets the requirements of Section 633 (2) the MGA.
 - (3) A new Plan that is consistent with goals and policies of the IGP, the County Plan, and where applicable, the Rocky View County / City of Calgary Intermunicipal Development Plan.

Land Use

- (4) To develop a land use strategy;
- (5) To establish a development sequence for future subdivision and development of lands; and
- (6) To determine appropriate integration and transition policies for adjacent land uses;

Servicing

- (7) To identify land carrying capacities and servicing options that may be available for existing and future development, in alignment with regional servicing;
- (8) To identify current and planned transportation infrastructure under both Provincial and County jurisdiction to determine future transportation needs and opportunities;



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- (9) To identify possible transportation (pedestrian, cycling, and vehicular) linkages to ensure the development of a cohesive community; and
- (10) To identify other required physical services;

Physical Environment:

- (11) To identify key environmental and natural features within the Plan area and suggest methods to uphold their form and function; and
- (12) To identify physical constraints to future development that may limit connectivity of land uses, such as wetlands found within the study area.

Local Amenities

- (13) To identify desired and achievable amenities; and
- (14) To determine population thresholds needed to provide various soft services such as parks and recreation areas.

Institutional Development

- (15) To further explore the potential for institutional development identified in the CASP (ex.: school sites);

Phasing

- (16) To explore phasing to accommodate growth projections, and to implement appropriate mechanisms for phasing growth;
- (17) To describe the existing development within the study area and adjacent lands;
- (18) To discover where development opportunities and constraints may exist; and
- (19) To determine the fiscal impact of the proposed land uses.

Other

- (20) To establish a framework for monitoring the long-term effectiveness of the Plan; and
- (21) To meet the intent and direction of the IGP, the County Plan, the CASP, and other relevant policy frameworks.

Enabling Legislation

- 33 The *Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26, as amended*, enables Council to adopt an ASP for the purpose of establishing a framework to guide subsequent subdivision and development within a defined area. In accordance with the MGA, the CASP must describe, provide notification to intermunicipal partners, and be consistent with the Act.

Work Program

- 34 The Work Program is anticipated to occur in four (4) phases.



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- 35 The CASP Future Policy Area Review will likely be one of the first policy amendments that will be considered by the CMRB. The CMRB process has not yet been implemented in the region, as such, the timelines of the four (4) phases may be subject to adjustment.



Phase 1 – Project Initiation and Background Analysis (Dec 2018 – Feb 2019)

- 36 In this phase of the project, technical studies will be conducted while the project initiation and background analysis take place:
- (1) Confirm goals and objectives of the project and update Terms of Reference;
 - (2) Review, scope, and tender technical study updates (as required) including, but not limited to, Water and Wastewater Servicing Strategies and Transportation Analysis;
 - (3) Develop a community communication and engagement strategy;
 - (4) Create a work plan and budget to guide overall project management; and
 - (5) Create a Background Report to inform the CASP amendments. The timing of the public release of the report findings will be in accordance with the community engagement strategy.
- 37 Phase 1 – Deliverables:
- (1) Initiate technical study updates (as required);
 - (2) Communication and engagement strategy;
 - (3) Budget;



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- (4) Work plan;
- (5) Identification of planning issues; and
- (6) Background report.

Phase 2 – Community Consultation and Plan Writing (Feb – July 2019)

- 38 This phase marks the official public launch of the project. It begins with community and stakeholder engagement and finishes with the writing of a draft plan. Community and stakeholder engagement will be as per the engagement plan.
- 39 The preparation of the draft CASP Future Policy Area Review to integrate the community's vision for Conrich, with:
 - (1) The goals and objectives identified in the Terms of Reference;
 - (2) Updated technical studies (as required);
 - (3) Other relevant planning documents;
 - (4) The IGP; and
 - (5) The County Plan.
- 40 Phase 2 – Deliverables:
 - (1) A report on communication and engagement process and findings;
 - (2) Updated required technical studies; and
 - (3) A draft of the CASP Future Policy Area Review.

Phase 3 – Draft Area Structure Plan Release (July – Sept 2019)

- 41 This phase of the project is the release of the draft ASP with an opportunity for public and agency review. Upon completion of the external review, the Plan will be amended as required.
- 42 Phase 3 – Deliverables:
 - (1) Final version of the amendments;
 - (2) Release of the amendments (final - proposed); and
 - (3) Circulation of the amendments to agencies.

Phase 4 – Area Structure Plan Amendments (Public Hearing) (Oct – Nov 2019)

- 43 This phase of the project is the public hearing and consideration of the proposed ASP amendments. It is anticipated the CASP Future Policy Area Amendments will be completed in Q4 2019.



ROCKY VIEW COUNTY
Cultivating Communities

CONRICH ASP

FUTURE POLICY AREA REVIEW

Conclusion

- 44** The Future Policy Area is identified in current municipal documents as a location for a full service hamlet with an expanded hamlet boundary. These amendments will ensure the CASP maintains consistency with higher order municipal policy, and that the area is prepared to accommodate future growth.



Approval Date

•

Replaces

• n/a

Lead Role

• County Manager

Committee Classification

• Council/Advisory

Last Review Date

• n/a

Next Review Date

•

Reeve

Approval Date

PLANNING SERVICES

TO:	Council	DIVISION:	8
DATE:	November 27, 2018	APPLICATION:	N/A
FILE:	1011-501		
SUBJECT:	Terms of Reference – Bearspaw Area Structure Plan Review		

¹POLICY DIRECTION:

Council approved the Bearspaw Area Structure Plan (BASP) in 1994. Since then, the Plan has not been comprehensively review. The BASP (Policy 9.2) indicates that the County “*should review the Plan on a regular basis*” to ensure that the vision and policies of the BASP are effective and align with current development pressures and community input.

EXECUTIVE SUMMARY:

The purpose of this report is to present Council with a Terms of Reference to guide the Bearspaw Area Structure Plan Review project, in accordance with the policies of the Bearspaw ASP. This project has been scheduled for inclusion on the 2019 workplan, in accordance with the criteria of Council Policy 322: Area Structure Plan Priority Policy.

Since the Bearspaw Area Structure Plan (BASP) was adopted in 1994, the community has experienced significant growth pressure in a variety of forms ranging from country residential to urban density. The BASP Review would explore potential development scenarios and establish a land use strategy for the various communities in accordance with the County Plan and other relevant planning policies (i.e. Interim Growth Plan).

BACKGROUND:

The development and regulatory context of the area has changed significantly since adoption of the BASP, including:

- | | |
|-------------|--|
| 2018 | The establishment of the Calgary Metropolitan Region Board and the passing of the Interim Growth Plan and Regional Evaluation Framework. |
| 2017 | The BASP was amended to remove lands between Highway 1A and the Bow River for the creation of the Glenbow Ranch ASP. |
| 2016 | The Province of Alberta reviewed and amended the MGA. |
| 2015 | The City of Calgary approved the Haskayne and Glacier Ridge Area Structure Plans with a combined estimated population of 71,800 adjacent to the BASP. |
| 2014 | The Tuscany LRT station opened approximately 1.6 km (1 mile) from Bearspaw |
| 2013 | The County Plan (Bylaw C-7280-2013) was adopted by Council. |
| 2010 | The City of adopted by resolution the North Regional Context Study identifying Industrial/Employment and Institutional development on the east boundary of the BASP. |
| 2009 | The Watermark at Bearspaw and Silverhorn Conceptual Schemes were adopted by Council. |

¹ **Administration Resources**
 Sean MacLean, Planning Services



- 2008** The Glenbow Ranch Provincial Park was created.
- 1995** The Planning Act was repealed and became Part 17 of the Municipal Government Act (MGA).

Since the BASP was adopted in 1994, the community of Bearspaw has been experiencing a significant amount of residential growth pressure in a diverse variety of forms ranging from country residential to urban density. Examples of this pressure can be seen in the development of various subdivisions including Silverhorn and Watermark. The BASP Review would explore the potential development scenarios and establish a land use strategy for the various communities in accordance with the County Plan and other relevant planning policies (i.e. Interim Growth Plan).

The BASP Review would involve community and stakeholder engagement, technical review and studies, policy writing, and development of land use scenarios. Should the proposed Terms of Reference be adopted, the project would be initiated in early 2019.

BUDGET IMPLICATIONS

The Bearspaw Area Structure Plan Review was budgeted for in 2018. Subject to year end, Administration would recommend this budget be carried forward to 2019.

OPTIONS:

- Option #1: THAT the Bearspaw Area Structure Plan Review Terms of Reference be approved as presented in Appendix 'A'.
- Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Sherry Baers"

"Rick McDonald"

Executive Director
Community Development Services

Interim County Manager

SM/rp

APPENDICES:

APPENDIX 'A': Terms of Reference



BEARSPAW AREA STRUCTURE PLAN REVIEW

Terms of Reference

TOR # 1011-501

Introduction

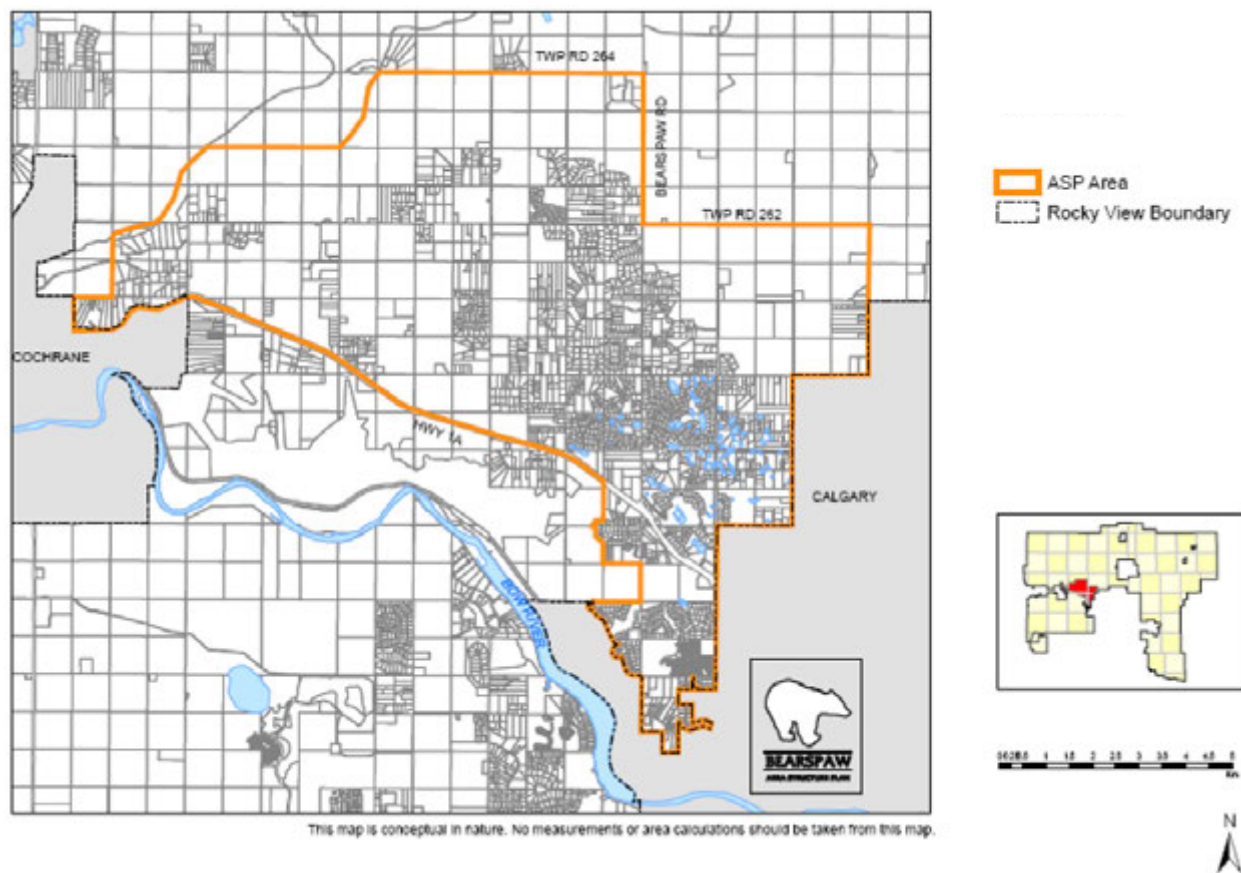
- 1 The communities of Bearspaw are located between the town of Cochrane and the city of Calgary, and north of the Glenbow Ranch Provincial Park. The Bearspaw Area Structure Plan (BASP) encompasses several distinct communities including Bearspaw, Glendale and South Bearspaw (Watermark). These communities have distinct identities and development pressures that range in scale and scope.
- 2 The County's Municipal Development Plan (the County Plan) supports the development of the communities in accordance with the Area Structure Plan.
- 3 The BASP was adopted in 1994 and amended in 2017. The BASP 2017 amendment was in response to the most significant non-residential land use change within the BASP's former boundary: the creation of the Glenbow Ranch Provincial Park in 2008. In light of this significant land use change, the BASP amendment in 2017 to remove the lands to create the Glenbow Ranch Area Structure Plan (GBRASP) was adopted by Council. The BASP continues to guide the future land use, subdivision, and development in the country residential communities.
- 4 The purpose of the review of the existing BASP is to address continued development pressure and ensure consistency with other County documents. Per section 9.2 of the BASP, the County should undertake regular reviews of the Plans in order to verify that Plan objectives and policies are current, effective, and consistent with other statutory plans.
- 5 The last review of the BASP was in 2017 and was specifically related to removal of land from the BASP for the creation of the GBRASP. Due to the limited scope of the previous review, it is now an appropriate time to review planning in the BASP.
- 6 The goal of the BASP Review is to explore the potential development scenarios and to establish a comprehensive land use strategy for lands in accordance with the BASP's visions, goals, and policies.
- 7 The BASP Review will also evaluate the various communities within the BASP to determine the most appropriate policy framework to achieve the objectives identified in this Terms of Reference.
- 8 Contributing to ASP policy and direction will be:
 - (1) Community and stakeholders input;
 - (2) Intermunicipal input;
 - (3) Baseline technical studies;
 - (4) Growth projections;
 - (5) Fiscal impact to the County;



BEARSPAW AREA STRUCTURE PLAN REVIEW

- (6) Benefit to the communities;
 - (7) Compatibility and integration with the surrounding area (e.g.: Glenbow Ranch Provincial Park);
 - (8) Market demand; and
 - (9) Direction and intent of higher order documents (e.g.: Interim Growth Plan and County Plan).
- 9 The BASP Review will result in a new ASP that will be adopted as a statutory plan in accordance with the *Municipal Government Act* (MGA).

Figure 1 – Bearspaw Area Structure Plan



Study Area

- 10 In keeping with the direction of policy 9.2, the study area of the BASP Review encompasses the entirety of the existing BASP lands, as shown on Map 1 – Bearspaw Area Structure Plan.
- 11 The study area does not include the lands located within the GBRASP.



BEARSPAW AREA STRUCTURE PLAN REVIEW

Base Assumptions and Circumstances

- 12** A number of basic assumptions and circumstances guiding the planning framework for the area have changed since adoption of the BASP in 1994:
- (1)** In 1995, the Planning Act was repealed and became Part 17 of the MGA.
 - (2)** In 2008, the Glenbow Ranch Provincial Park was created.
 - (3)** In October 2013, the County Plan was adopted, which identifies the BASP as country residential.
 - (4)** In 2016, the Province of Alberta reviewed and amended the MGA.
 - (5)** In July 2017, the BASP was amended to remove lands between Highway 1A and the Bow River for the creation of the GBRASP.
 - (6)** In January 2018, the Calgary Metropolitan Region Board (CMRB) was established as the provincially mandated growth management board in the Calgary region. Rocky View County became a participating municipality of the CMRB.
 - (a)** Under the Calgary Metropolitan Regional Board Regulations (AR190/2017), statutory plans, or amendments to statutory plans, to be adopted by a participating municipality must be submitted to the Board for approval.
 - (7)** In October 2018, the Interim Growth Plan (IGP) and the Interim Regional Evaluation Framework (IREF) were approved by the CMRB and are awaiting Ministerial approval. Under the IGP, amendments to existing statutory plans shall be submitted to the CMRB for review and approval. The CMRB may approve or reject a statutory plan in accordance with the IREF.

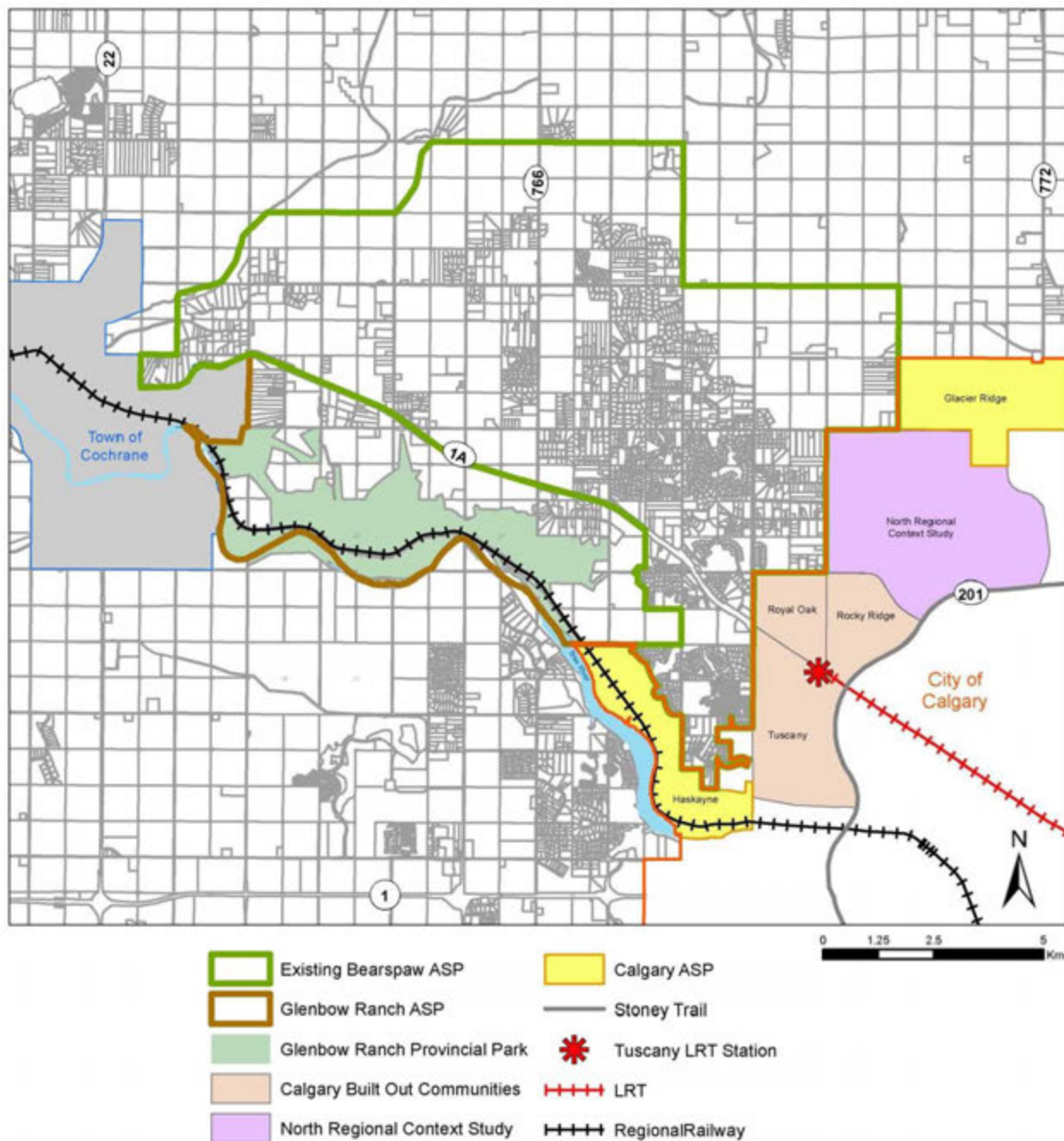
Background

History

- 13** The BASP encompasses approximately 1,011.71 hectares (25,000 acres).
- 14** The BASP was adopted on January 15, 1994, and was amended on July 25, 2017, to implement the GBRASP and remove the lands from the BASP.
- 15** Since 1994, the communities of Bearspaw have been experiencing a significant amount of residential growth pressure in a diverse variety of forms ranging from country residential to urban density. Examples of this pressure can be seen in the development of various subdivisions, including Silverhorn and Watermark.
- 16** As shown in Figure 2 – Development Context, the surrounding development context of Bearspaw has changed substantially since 1994:
- (1)** The adjacent urban communities of Tuscany (population 19,723), Rocky Ridge (population 8,284), and Royal Oak (population 8,284) in the city of Calgary have been fully built out.

BEARSPAW AREA STRUCTURE PLAN REVIEW

Figure 2 – Development Context



- (2) The Glenbow Ranch Provincial Park was created in 2008, providing 3,078.00 acres (1,245.62 hectares) open space and active recreational activities.



BEARSPAW AREA STRUCTURE PLAN REVIEW

- (3) The City of Calgary adopted by resolution the North Regional Context Study in June 2010. The North Regional Context Study identifies Industrial/Employment and Institutional development on the east boundary of the BASP.
- (4) The County Plan was approved by Council on October 1, 2013. The County Plan provides the vision and principles for county development and the future aspirations of county residents.
- (5) The Tuscany LRT station opened in 2014, approximately 1.6 km (1 mile) from the BASP.
- (6) The City of Calgary approved the Haskayne ASP on June 4, 2015. The Haskayne ASP borders the BASP to the southeast and has an estimated population of 13,000 and an estimated 1,400 jobs.
- (7) The City of Calgary approved the Glacier Ridge ASP on December 8, 2015. The Glacier Ridge ASP partially borders the BASP to the east and has an estimated population of 58,800 and an estimated 12,400 jobs.

Interim Growth Plan

- 17 The Interim Growth Plan identifies different types of development that would be subject to the CMRB review and approval.
- 18 Under the IGP, Bearspaw is considered a 'country residential development area':
 - (1) *Country Residential* means a rural settlement form in which the land-use is mainly residential and characterized by dispersed, low-density development with lot sizes generally 1 acre or greater. Country residential areas may include a variety of lot sizes, while maintaining a rural character, incorporating landscape considerations in their design, and offering passive and active recreational and cultural opportunities. Country residential households are often responsible for providing on-site water and private sewage systems.
- 19 The IGP indicates that country residential development areas shall be planned and developed in accordance with the Region-wide, Flood Prone Area, and Regional Corridors policies of the IGP.

County Plan

- 20 The County Plan was adopted in 2013 and identifies three fundamental principles of growth for Rocky View County:
 - (1) Achieve a moderate level of growth, amounting to no more than 2.5 to 3 per cent of the region's population over the 10 to 12 year time frame;
 - (2) Direct the majority of residential growth to identified areas;
 - (3) Manage residential growth so that it conforms to the County's environmental, fiscal, and community goals, and so that the character of the County is retained.
- 21 The County Plan outlines the importance of setting priorities in order to achieve a moderate level of residential growth while maintaining fiscal sustainability. It identifies Bearspaw as a 'Country Residential' (Figure 3 – County Plan Managing Growth Map).

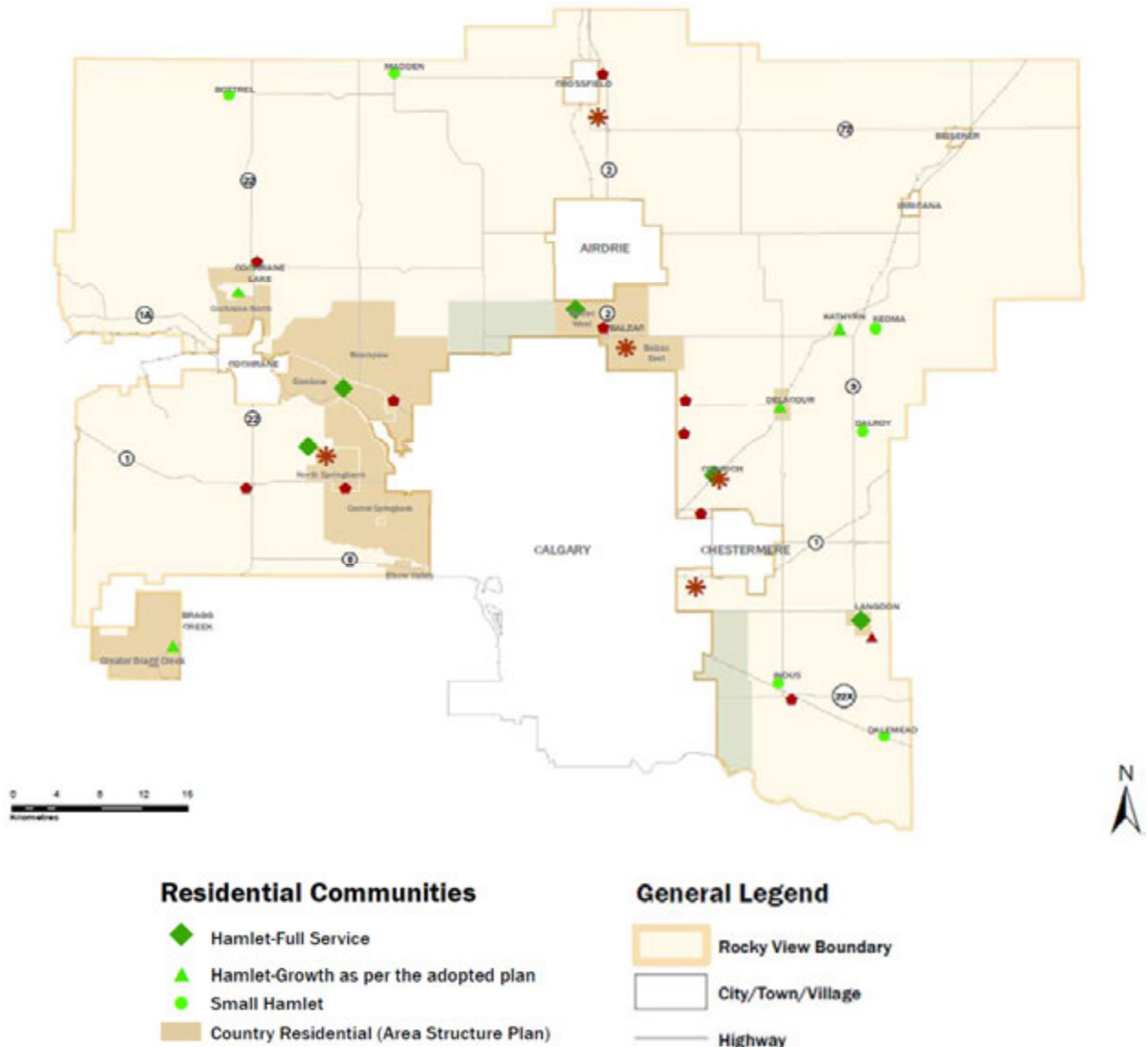


BEARSPAW AREA STRUCTURE PLAN REVIEW

- 22 In accordance with the County Plan (Policy 10.5), when reviewing an existing Country Residential ASP, the County shall address the following:
- (1) *Update all policies in accordance with this Plan, County Policies, and other relevant County planning documents.*
 - (2) *Consider alternative development forms, such as compact residential development or a Conservation Community, which retain rural character and reduce the overall development footprint on the landscape.*
 - (3) *Where an area structure plan is extensive in size and the development potential is not being achieved as expected, communities and the County should consider reducing the overall area dedicated to country residential development.*
 - (4) *Where an area structure plan is extensive in size, and has distinct natural planning or physical boundaries, a separate area structure plan may be created to deal with the planning considerations in the identified area.*
 - (5) *Consider the planning and design direction for new country residential communities (policy 10.6).*

BEARSPAW AREA STRUCTURE PLAN REVIEW

Figure 3 - County Plan Managing Growth Map



Bearspaw Area Structure Plan

- 23** Section 9.2 of the BASP states that the Municipality should review the BASP on a regular basis in order to ensure that Plan objectives and policies are current and effective.

Envisioned ASP Amendments To Date

- 24** The intent of the project is to prepare a new ASP for Council's consideration for the area as shown in Map 1 – Bearspaw Area Structure Plan. The following sections detail the objectives, goals, and project timing that will guide the review process:



BEARSPAW AREA STRUCTURE PLAN REVIEW

- 25 Mapping amendments, which will:
 - (1) Identify the most appropriate policy framework for the lands, a single ASP or multiple ASPs;
 - (2) Refine the land use strategy and reflect land use planning best practices, development feasibility, and community input;
 - (3) Reflect results of new technical studies.
- 26 Policy revisions in the plan to:
 - (1) Confirm and update the vision for the various distinct communities within the BASP;
 - (2) Align policies with higher-order policy and guiding documents adopted since 1994;
 - (3) Re-evaluate the land use strategy;
 - (4) Re-evaluate the appropriateness of aggregate extraction within the BASP;
 - (5) Update technical policies to reflect new and revised studies; and
 - (6) Address policy gaps in the existing ASP identified by Administration and the communities.

BASP Review Goals

- 27 The BASP Review should take into account a number of goals:
 - (1) Determine if the lands should be contained within a single ASP or multiple ASPs;
 - (2) Intent to develop the area as distinct and attractive communities;
 - (3) Be supported by growth projections, desired growth size, and limitations of servicing;
 - (4) Achieve a logical extension of growth patterns, including vehicular and pedestrian transportation infrastructure;
 - (5) Explore appropriate methods to infill existing development;
 - (6) Explore the use of alternate forms of development, such as compact and/or cluster housing;
 - (7) Demonstrate sensitivity and respect for key environmental and natural features;
 - (8) Allow the County the ability to achieve rational growth directions, cost effective utilization of resources, and fiscal accountability;
 - (9) Achieve effective community engagement in a fair, open, considerate, and equitable manner;
 - (10) Alignment with other planning documents; and
 - (11) Other achievable goals identified by the communities.



BEARSPAW AREA STRUCTURE PLAN REVIEW

BASP Review Objectives

- 28** The objectives for the BASP Review are to be achievable, based on existing studies and additional work as described in the following subsections:

Work Plan

- 29** To develop a Work Plan that identifies and implements key process requirements, timelines, and technical analysis that results in the timely creation of a new area structure plan.

Community, Stakeholder, and Intergovernmental Engagement

- 30** To implement an effective and meaningful engagement process with the communities, identified stakeholder groups, and with intergovernmental organizations that:

- (1) Raises the awareness of the planning process and encourages participation;
- (2) Identify how residents interpret the boundaries of the various communities;
- (3) Identify if multiple ASPs should be used to provide policy direction to the communities;
- (4) Identifies the full set of issues and opportunities the amendments should address;
- (5) Shapes the content of the Plan through a blend of research, input, and discussion-focused activities;
- (6) Responds constructively to the interests of various audiences; and
- (7) Ensures broad support for the resulting amendments.

- 31** A detailed communication and engagement strategy will identify all relevant interest groups within the study area, within the wider Bearspaw communities, intermunicipal partners, and external stakeholders affected by the planning process outcomes. The strategy will spell out how the process will proceed through several phases, and how various tools / techniques will be used in each phase to meaningfully engage a range of participants.

- 32** The strategy will identify an engagement strategy to collaborate with our intermunicipal partners, specifically the City of Calgary and Town of Cochrane, to ensure compliance with the IGP.

- 33** The strategy will result in a participatory process that is educational, inclusive, transparent, responsive and timely, and that builds community and stakeholder trust.

Plan Creation

- 34** The review process will result in:

- (1) A new BASP that meets the requirements of Section 633 (2) the MGA.
- (2) A new Plan that is consistent with goals and policies of the IGP, The County Plan, and where applicable, the Rocky View County / City of Calgary Intermunicipal Development Plan and Town of Cochrane / M.D. of Rocky View No. 44 Intermunicipal Development Plan.



BEARSPAW AREA STRUCTURE PLAN REVIEW

Land Use

- (3) To determine if a single ASP or if multiple ASPs will be applied to the lands;
- (4) Should multiple ASPs be used, determine the boundaries of the ASPs within the BASP;
- (5) To develop a land use strategy;
- (6) To establish a development sequence for future subdivision and development of lands; and
- (7) To determine appropriate integration and transition policies for adjacent land uses and municipalities;

Servicing

- (8) To identify land carrying capacities and servicing options that may be available for existing and future development;
- (9) To identify current and planned transportation infrastructure under both Provincial and County jurisdiction to determine future transportation needs and opportunities;
- (10) To identify possible pedestrian linkages to ensure the development of cohesive communities; and
- (11) To identify other required physical services;

Physical Environment:

- (12) To identify key environmental and natural features within the Plan area and suggest methods to uphold their form and function;
- (13) To review the appropriateness of gravel extraction within the BASP; and
- (14) To identify physical constraints to future development that may limit connectivity of land uses, such as wetlands found within the study area;

Local Amenities

- (1) To identify desired and achievable amenities; and
- (2) To determine population thresholds needed to provide various soft services such as parks and recreation areas;

Institutional Development

- (3) Further explore the potential for institutional development identified in the BASP (e.g.: religious assembly sites and school sites);

Phasing

- (4) To explore phasing to accommodate growth projections, and to implement an appropriate mechanisms for phasing growth;



BEARSPAW AREA STRUCTURE PLAN REVIEW

- (5) To describe the existing development within the study area and adjacent lands;
- (6) To discover where development opportunities and constraints may exist; and
- (7) To determine the fiscal impact of the proposed land uses;

Other

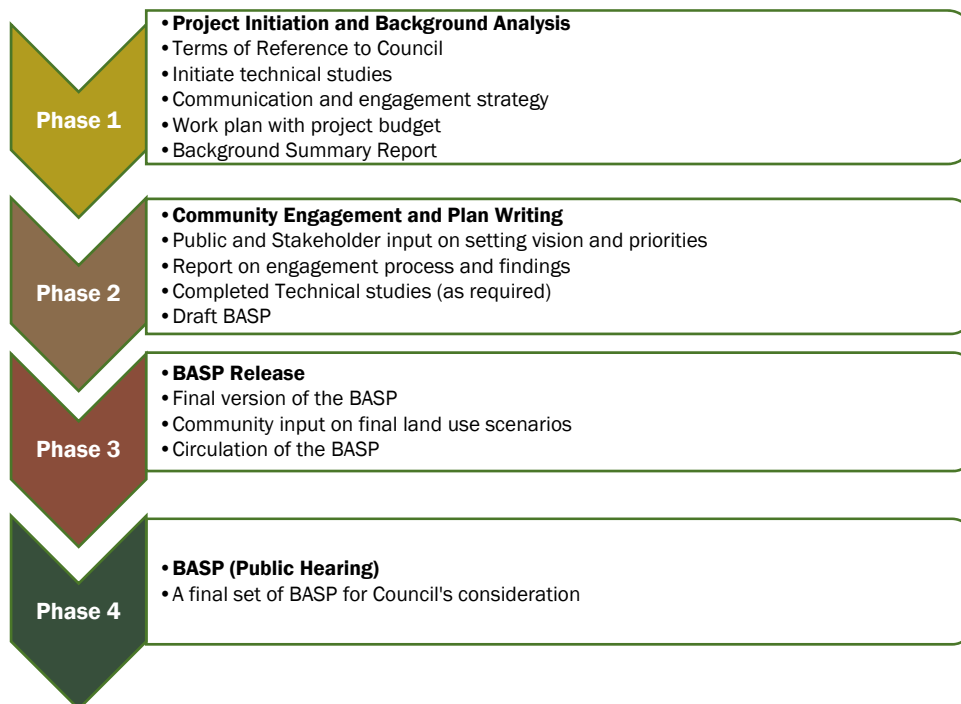
- (8) To establish a framework for monitoring the long-term effectiveness of the Plan; and
- (9) To meet the intent and direction of the IGP, the County Plan, and other relevant policy frameworks.

Enabling Legislation

- 35 The *Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26, as amended*, enables Council to adopt an ASP for the purpose of establishing a framework to guide subsequent subdivision and development within a defined area. In accordance with the MGA, the CASP must describe, provide notification to intermunicipal partners, and be consistent with the Act.

Work Program

- 36 The Work Program is anticipated to occur in four phases.
- 37 The BASP Review will likely be one of the first policy documents that will be considered by the CMRB. The CMRB process has not yet been implemented in the region, as such, the timelines of the four (4) phases may be subject to adjustment.





BEARSPAW AREA STRUCTURE PLAN REVIEW

Phase 1 – Project Initiation and Background Analysis (Mar – April 2019)

- 38** In this phase of the project, technical studies will be conducted while the project initiation and background analysis take place:
- (1) Confirm goals and objectives of the project and update Terms of Reference;
 - (2) Scope and tender technical studies including, but not limited to, Water and Wastewater Servicing Strategies and Transportation Analysis;
 - (3) Review completed Master Drainage Plan;
 - (4) Develop a community communication and engagement strategy;
 - (5) Create a work plan and budget to guide overall project management; and
 - (6) Create a Background Report to inform the BASP. The timing of the public release of the report and its findings will be in accordance with the community engagement strategy.
- 39** Phase 1 – Deliverables:
- (1) Initiate technical studies (as required);
 - (2) Communication and engagement strategy;
 - (3) Budget;
 - (4) Work plan;
 - (5) Identification of planning issues; and
 - (6) Background report.

Phase 2 – Community Consultation and Plan Writing (April 2019 – Jan 2020)

- 40** This phase marks the official public launch of the project. It begins with community and stakeholder engagement and finishes with the writing of a draft plan. Community and stakeholder engagement will be as per the engagement plan.
- 41** The preparation of the draft area structure plan integrates the communities' vision for Bearspaw, with:
- (1) The goals and objectives identified in the Terms of Reference;
 - (2) Technical studies including, but not limited to, Water and Wastewater Servicing Strategies and Transportation Analysis;
 - (3) Other relevant planning documents;
 - (4) The IGP; and
 - (5) The County Plan.
- 42** Phase 2 – Deliverables:



BEARSPAW AREA STRUCTURE PLAN REVIEW

- (1) A report on communication and engagement process and findings;
- (2) Technical studies including, but not limited to, Water and Wastewater Servicing Strategies and Transportation Analysis; and
- (3) A draft of the revised BASP.

Phase 3 – Draft Area Structure Plan Release (Jan – May 2020)

- 43** This phase of the project is the release of the draft BASP with an opportunity for community and agency review. Upon completion of the external review, the Plan will be amended as required.
- 44** Phase 3 – Deliverables:
- (1) Final version of the BASP;
 - (2) Release of the BASP (final - proposed); and
 - (3) Circulation of the BASP to agencies.

Phase 4 – Area Structure Plan (Public Hearing) (June – July 2020)

- 45** This phase of the project is the public hearing and consideration of the proposed BASP. It is anticipated the BASP review will be completed in mid-2020.

Conclusion

- 46** The communities of Bearspaw area identified in current municipal documents as a location for country residential development. The BASP Review will ensure that the BASP maintains consistency with higher order municipal policy, and that the area is prepared to accommodate future growth.



Approval Date	•
Replaces	• n/a
Lead Role	• County Manager
Committee Classification	• Council/Advisory
Last Review Date	• n/a
Next Review Date	•

Reeve



ROCKY VIEW COUNTY
Cultivating Communities

BEARSPAW AREA STRUCTURE PLAN REVIEW

Approval Date

PLANNING SERVICES

TO:	Council	DIVISION:	1
DATE:	November 27, 2018	APPLICATION:	N/A
FILE:	1011-534		
SUBJECT:	Terms of Reference – Bragg Creek Hamlet Expansion Strategy		

¹POLICY DIRECTION:

Council approved the Greater Bragg Creek Area Structure Plan in 2007. The ASP encourages expansion of the hamlet boundary to include the properties located just south of the hamlet once a funding commitment and a timetable for development of municipal water and wastewater systems are available for the hamlet expansion area.

EXECUTIVE SUMMARY:

The Greater Bragg Creek Area Structure Plan (ASP) was adopted in 2007 to guide future land use, subdivision, and development in the Hamlet of Bragg Creek (the hamlet) and its surrounding area. The purpose of this report is to present Council with a Terms of Reference to guide the preparation of amendments to the Greater Bragg Creek Area Structure Plan for the purposes of creating a Hamlet Expansion Strategy, as per the policies of the existing ASP and the direction of the Hamlet of Bragg Creek Revitalization Plan. This project has been scheduled for inclusion on the 2019 workplan, in accordance with the criteria of Council Policy 322: Area Structure Plan Priority Policy.

The Greater Bragg Creek Area Structure Plan encourages expansion of the hamlet boundary to include the properties located just south of the hamlet once a funding commitment and a timetable for development of municipal water and wastewater systems are available for the hamlet expansion area. Since the adoption of the ASP, a municipal water distribution system and wastewater collection and treatment systems were put in place within the hamlet to provide safe and reliable services to the community.

In the summer of 2013, the major flood in southern Alberta affected the majority of the hamlet. As part of the flood recovery, the Hamlet of Bragg Creek Revitalization Plan (the Revitalization Plan) was adopted by Council to identify opportunities and actions that can be undertaken to achieve the community's vision for the hamlet, and to revitalize the Bragg Creek area as a dynamic place to live and visit.

The Revitalization Plan indicates that a large portion of the hamlet expansion lands has the potential to accommodate cluster housing as a way to provide diverse housing types to the community. As part of the Revitalization Plan implementation, one of the recommended actions is to determine steps for allowing future development in the hamlet expansion area as originally intended in the Greater Bragg Creek ASP.

For this reason, Administration is initiating the Hamlet Expansion Strategy in accordance with the Greater Bragg Creek ASP policies and the Revitalization Plan's implementation strategy.

BACKGROUND:

The Greater Bragg Creek Area Structure Plan (ASP) identifies the properties located just south of the hamlet between Highway 22 and Bragg Creek Provincial Park as hamlet expansion land (see Terms of Reference location map within Appendix 'A').

¹ **Administration Resources**
 Johnson Kwan, Planning Services



The Greater Bragg Creek ASP (Policies 7.2.5 and 10.1.10) indicates that the County should undertake preparation of a comprehensive land use strategy (Hamlet Expansion Strategy) to accommodate hamlet expansion within the expansion lands once a funding commitment and a timetable for development of municipal water and wastewater systems to service the hamlet expansion area are available. Those systems are now in place in the hamlet, and the potential service extensions to the hamlet expansion area are currently being investigated. For this reason, Administration is initiating the Hamlet Expansion Strategy.

The Hamlet Expansion Strategy will explore the potential development scenarios and establish a land use strategy for the expansion lands in accordance with the Greater Bragg Creek ASP and other relevant planning policies (i.e.: Interim Growth Plan and the County Plan).

The Hamlet Expansion Strategy will involve public and stakeholder engagement, technical review and studies, policy writing, and development of land use scenarios. Should the proposed Terms of Reference be adopted, the project would be initiated in early 2019.

BUDGET IMPLICATIONS:

The Bragg Creek Hamlet Expansion Strategy ASP amendments project was budgeted for in 2018. Subject to year end, Administration would recommend this budget be carried forward to 2019.

OPTIONS:

Option #1: THAT the Bragg Creek Hamlet Expansion Strategy Terms of Reference be approved as presented in Appendix 'A'.

Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Sherry Baers"

"Rick McDonald"

Executive Director
Community Development Services

Interim County Manager

JKwan/rp

APPENDICES:

APPENDIX 'A': Terms of Reference



Bragg Creek Hamlet Expansion Strategy

Terms of Reference

TOR #1011-534

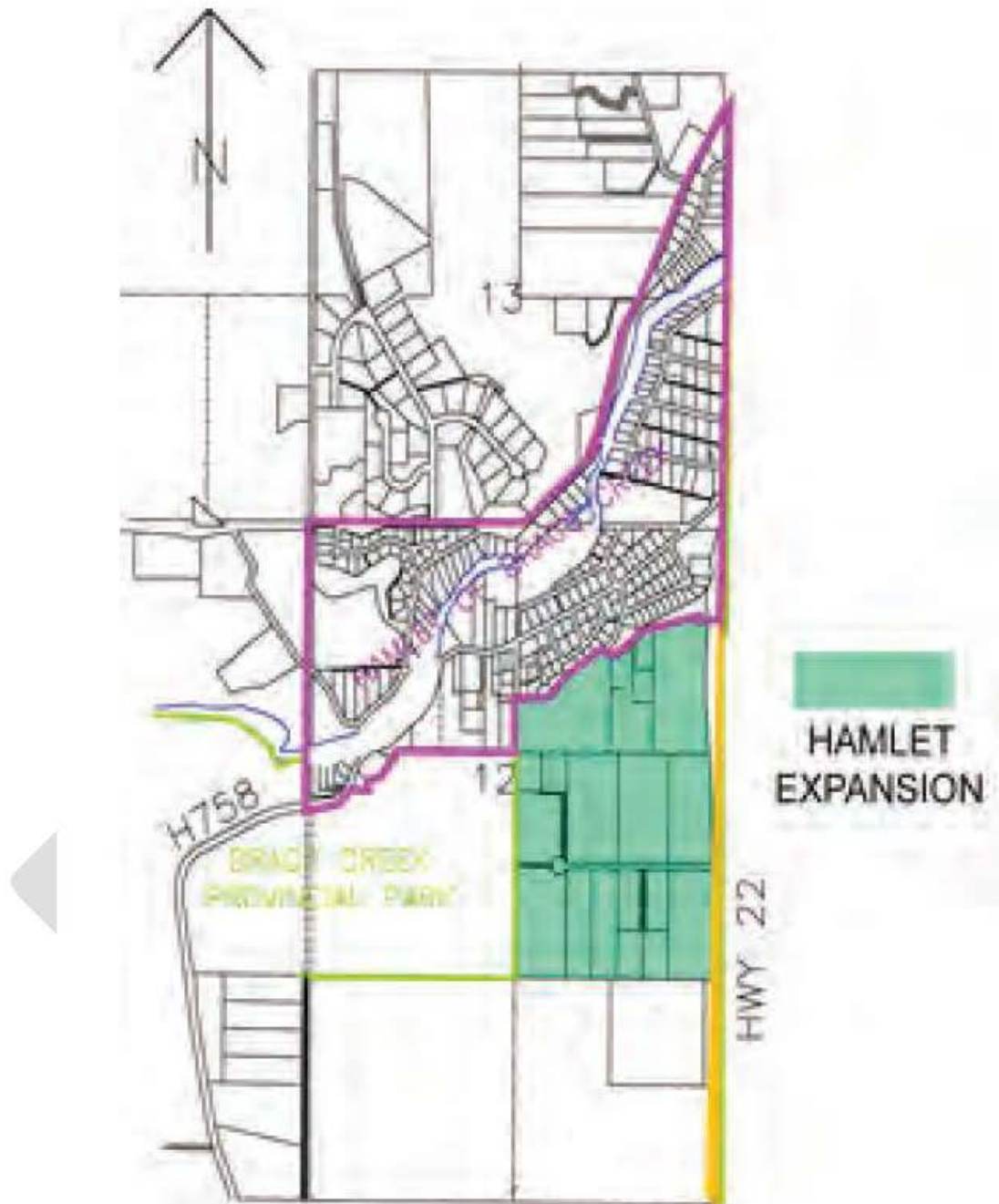
Introduction

- 1 The hamlet of Bragg Creek (the hamlet) is located approximately 30 km southwest of the city of Calgary. The County's Municipal Development Plan (the County Plan) supports the development of the hamlet as a small rural community with basic services in accordance with the local plan.
- 2 The Greater Bragg Creek Area Structure Plan (ASP) is the local plan that was adopted in 2007 to guide future land use, subdivision, and development in the hamlet and its surrounding area.
- 3 At the time, development in the hamlet of Bragg Creek was restrained due to geotechnical conditions that do not support effective use of private sewage treatment systems, and shallow, untreated water wells upon which most hamlet residents rely.
- 4 In the following years, the hamlet experienced little development, and the hamlet's population remained static as reflected in the 2006 and 2013 municipal censuses.
- 5 In the summer of 2013, the major flood in southern Alberta affected the majority of the hamlet. As part of the flood recovery, a municipal water distribution system and wastewater collection and treatment systems were put in place within the hamlet to provide safe and reliable services to the community.
- 6 In December 2015, the Hamlet of Bragg Creek Revitalization Plan (the Revitalization Plan) was adopted by Council to identify opportunities and actions that can be undertaken to achieve the community's vision for the hamlet, and to revitalize the Bragg Creek area as a dynamic place to live and visit after the flood in summer of 2013.
- 7 The Revitalization Plan indicates that a large portion of the hamlet expansion lands has the potential to accommodate cluster housing as a way to provide diverse housing types to the community.
- 8 As part of the Revitalization Plan implementation, one of the recommended actions is to determine steps for allowing future development in the hamlet expansion area as originally intended in the Greater Bragg Creek ASP.
- 9 The Greater Bragg Creek ASP encourages expansion of the hamlet boundary to include the properties located just south of the hamlet, between Highway 22 and Bragg Creek Provincial Park (see Figure 1).
- 10 The study area consists of 20 parcels and is approximately 86.66 hectares (214.41 acres) in size (see Figure 2).



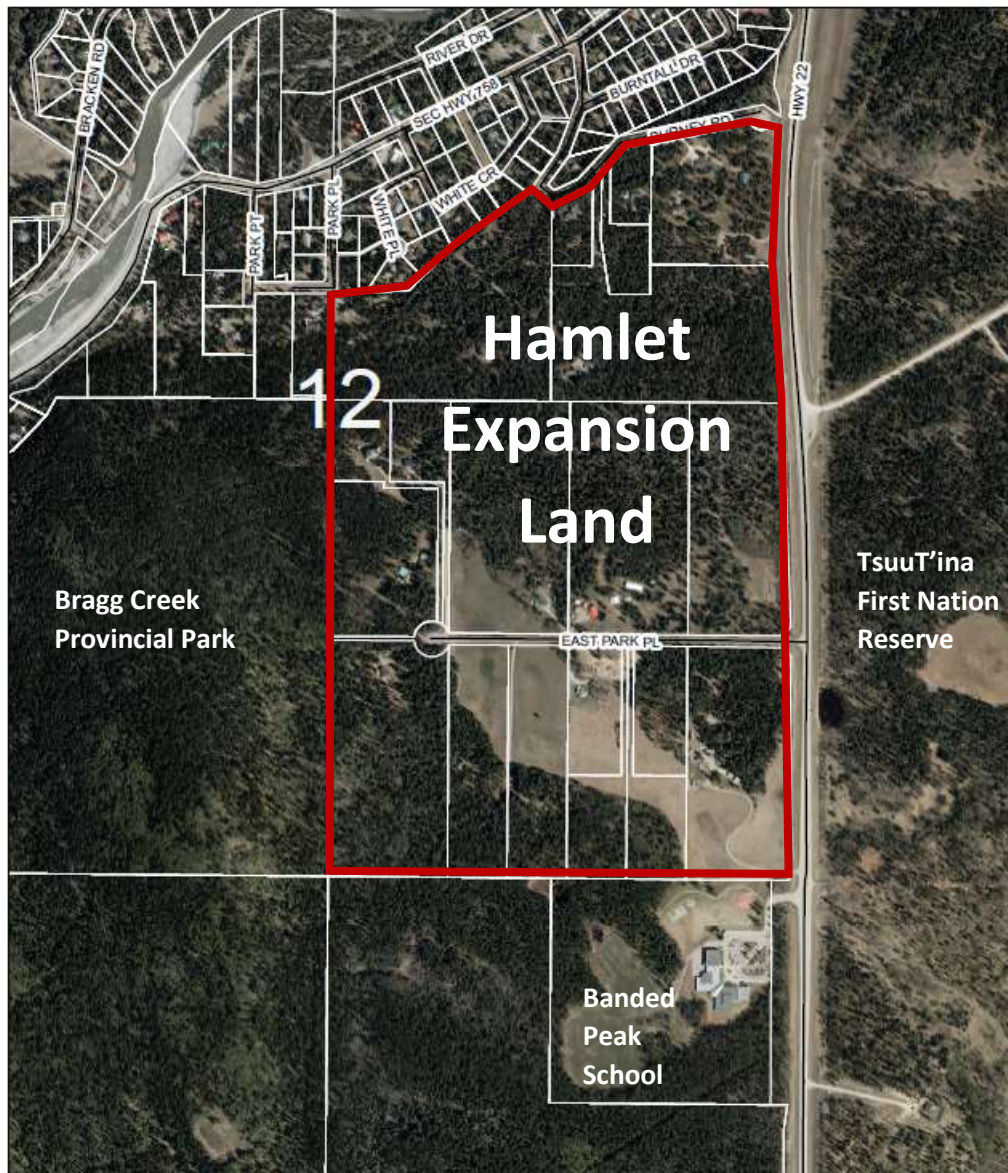
Bragg Creek Hamlet Expansion Strategy

Figure 1 – Lands for Hamlet of Bragg Creek Expansion



Bragg Creek Hamlet Expansion Strategy

Figure 2 – Hamlet Expansion Land 2018 Aerial Photo



- 11 The Greater Bragg Creek ASP (Policy 7.2.5 and 10.1.10) indicates that the County should undertake preparation of a comprehensive land use strategy (Hamlet Expansion Strategy) to accommodate hamlet expansion within these lands once a funding commitment and a timetable for development of municipal water and wastewater systems to service the hamlet expansion area are available.
- 12 The municipal water and wastewater systems are now in place in the hamlet, and the potential service extensions to the hamlet expansion area are currently being investigated. For this reason, Administration is initiating the Hamlet Expansion Strategy in accordance with the Greater Bragg Creek ASP policies and the Revitalization Plan's implementation strategy.



Bragg Creek Hamlet Expansion Strategy

Goals

- 13 The goal of the Hamlet Expansion Strategy is to explore the potential development scenarios in the expansion area and establish a land use strategy for the expansion lands in accordance with the Greater Bragg Creek ASP and other relevant planning policies.
- 14 Contributing to Hamlet Expansion Strategy would be:
 - (1) Community and stakeholders input;
 - (2) Baseline technical studies;
 - (3) Growth projections;
 - (4) Compatibility and integration with the surrounding area (e.g. interface with Bragg Creek Provincial Park, connection to the existing hamlet, consideration for TsuuT'ina First Nation Reserve); and
 - (5) Directions and intent of higher order documents (e.g. the Interim Growth Plan and the County Plan).
- 15 The Hamlet Expansion Strategy will be a set of amendments to be adopted as part of the Greater Bragg Creek Area Structure Plan and prepared in accordance with the *Municipal Government Act*.

Basic Assumptions and Circumstances

- 16 A number of basic assumptions and circumstances guiding the planning framework for the area have changed since adoption of the Greater Bragg Creek Area Structure Plan:
 - (1) In October 2013, the County Plan was adopted; it identifies the hamlet of Bragg Creek as a small rural community with basic services.
 - (2) In January 2018, the Calgary Metropolitan Region Board (CMRB) was established as the provincially mandated growth management board in the Calgary region. Rocky View County became a participating municipality of the Calgary Metropolitan Region Board.
 - (a) Under the Calgary Metropolitan Regional Board Regulations (AR190/2017), statutory plans that are to be adopted by a participating municipality must be submitted to the Board for approval.
 - (3) In October 2018, the Interim Growth Plan (IGP) and the Interim Regional Evaluation Framework (IREF) were approved and came into effect. Under the Interim Growth Plan, amendments to existing statutory plans shall be submitted to the Board for review and approval. The Board may approve or reject a statutory plan in accordance with the Regional Evaluation Framework.
 - (4) The 'Bragg Creek Hamlet Expansion Strategy' will be a set of amendments to the Greater Bragg Creek Area Structure Plan. For this reason, the proposed amendments would be subject to the Calgary Metropolitan Regional Board review and approval under the Interim Growth Plan and the Interim Regional Evaluation Framework.



Bragg Creek Hamlet Expansion Strategy

Background

Interim Growth Plan

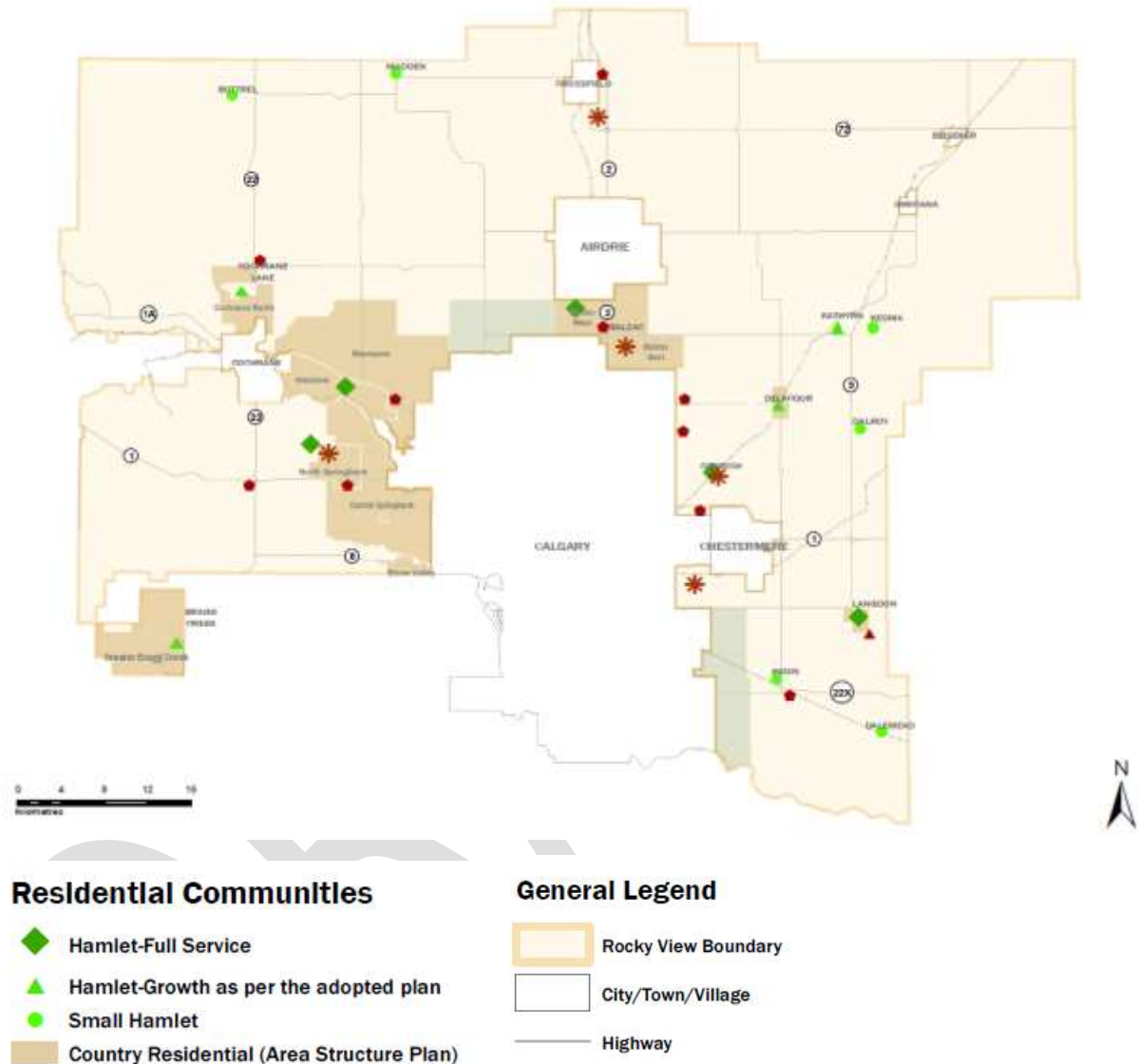
- 17 The Interim Growth Plan (IGP) identifies different types of development that would be subject to the Calgary Metropolitan Region Board review and approval.
- 18 Under the IGP, the hamlet of Bragg Creek is considered a 'Settlement area':
 - (1) *Settlement Areas* means all lands located within the limits of planned areas in cities, towns, villages, hamlets, and other unincorporated urban communities. *Settlement areas* do not include county residential areas.
 - (2) *Hamlet* means an unincorporated urban community with a generally accepted name and boundary. *Hamlets* are designated by Counties and Municipal Districts and each designation must specify the hamlet's name and boundaries. Only those unincorporated urban communities recognized by Alberta Municipal Affairs as *hamlets* are recognized as *hamlets* by the Calgary Metropolitan Region Board.
- 19 The IGP (3.4.1.2) indicates that *Intensification and infill* in existing *settlement areas* in *hamlets* and other unincorporated urban communities within rural municipalities shall be planned and developed to:
 - (1) Achieve an efficient use of land;
 - (2) Achieve higher density development in central core areas;
 - (3) accommodate residential and/or mixed-use development at a higher density than currently exists;
 - (4) provide for a mix of uses including community services and facilities, where appropriate; and
 - (5) make efficient and cost-effective use of existing and planned infrastructure through agreements with service providers.

County Plan

- 20 The County Plan identifies Bragg Creek as a 'Hamlet – Growth as per the adopted plan' (see Figure 2 – County Plan Managing Growth Map).

Bragg Creek Hamlet Expansion Strategy

Figure 2 - County Plan Managing Growth Map



Greater Bragg Creek Area Structure Plan

- 21** The Greater Bragg Creek Area Structure Plan (ASP) consists of a number of goals and policies that guides the Hamlet Expansion Strategy. The ASP amendments will be prepared in a manner that meets the goals and intent of the ASP
- 22** The ASP (Policy 7.2.5) also specifies that the Hamlet Expansion Strategy:
 - (1)** Should accommodate an appropriate range of residential and institutional land uses within the hamlet expansion lands;



Bragg Creek Hamlet Expansion Strategy

- (2) Should provide for an appropriately staged transition from country residential to hamlet land uses in accordance with the logical extension of transportation and utility services;
- (3) Should establish controls for the rate of development of the hamlet expansion lands. These controls should identify appropriate development phasing and conditions that should exist prior to development proceeding in a subsequent phases;
- (4) Should accommodate the logical extension of transportation connections into the hamlet expansion lands (both from the hamlet and Highway 22);
- (5) Should accommodate extension of utility services and open space connections from the hamlet into the hamlet expansion lands;
- (6) Should accommodate appropriate transitioning and buffering between the hamlet expansion lands and the Bragg Creek Provincial Park; and
- (7) Shall be developed through a process of public consultation to ensure all community issues have been addressed.

Envisioned ASP Amendments to Date

- 23 Mapping amendments for the expansion lands in the Greater Bragg Creek ASP would consider land use strategy, environmental protection, open space connectivity, transportation network, and servicing (water, wastewater, and stormwater) that reflects the public and stakeholders' input and the results of the technical studies.
- 24 Policy amendments for the expansion lands in the Greater Bragg Creek ASP would:
 - (1) Confirm and update the community's vision for the hamlet expansion area;
 - (2) Align policies with higher order planning documents such as the Interim Growth Plan and the County Plan;
 - (3) Re-evaluate the land use scenario for the expansion lands to promote the development of a full-service hamlet with a mix of residential and non-residential uses, which connects to the existing hamlet;
 - (4) Update technical policies to reflect new and revised studies; and
 - (5) Address existing policy gaps in the ASP.

ASP Amendments' Goals

- 25 In addition to the goals already listed in the Greater Bragg Creek ASP, the Hamlet Expansion Strategy should also take into account a number of goals:
 - (1) Intent to develop the hamlet expansion area as a distinct and attractive community;
 - (2) Be supported by growth projections, desired growth size, and limitations of servicing;



Bragg Creek Hamlet Expansion Strategy

- (3) Achieve a logical extension of growth patterns, including vehicular and pedestrian transportation infrastructure;
- (4) Explore appropriate methods to infill existing development;
- (5) Explore the use of alternate forms of development, such as compact and/or cluster housing;
- (6) Demonstrate sensitivity and respect for key environmental and natural features;
- (7) Allow the County the ability to achieve rational growth directions, cost effective utilization of resources, and fiscal accountability;
- (8) Achieve effective public consultation in a fair, open, considerate and equitable manner;
- (9) Alignment with other planning documents; and
- (10) Other achievable goals identified by the public.

ASP Amendments' Objectives

- 26 The objectives for the ASP Hamlet Expansion review should be achievable, based on existing studies and additional work as described in the following subsections:

Land Use

- (1) To develop a land use strategy for the Hamlet Expansion Lands;
- (2) To establish a development sequence for future subdivision and development of the expansion lands; and
- (3) To determine appropriate integration and transition policies for adjacent land uses;

Servicing

- (4) To identify land carrying capacities and servicing options that may be available for existing and future development of the expansion lands;
- (5) To identify current and planned transportation infrastructure under both Provincial and County jurisdiction to determine future transportation needs and opportunities;
- (6) To identify possible pedestrian and other non-vehicular linkages to ensure the development of a cohesive community; and
- (7) To identify other required physical services.

Physical Environment

- (8) To identify key environmental and natural features within the area and suggest methods to uphold their form and function; and
- (9) To identify physical constraints to future development that may limit connectivity of land uses, such as steep slopes within the study area;



ROCKY VIEW COUNTY
Cultivating Communities

Bragg Creek Hamlet Expansion Strategy

Local Amenities

- (10) To identify desired and achievable amenities;

Institutional Development

- (11) To further explore the potential for the institutional development identified in the Greater Bragg Creek ASP, with reference to the existing establishments (e.g.: Bragg Creek Community Centre and Banded Peak School);

Phasing

- (12) To explore phasing to accommodate growth projections, and to implement an appropriate mechanism for phasing growth;
- (13) To describe the existing development within the study area and adjacent lands,
- (14) To discover where development opportunities and constraints may exist; and
- (15) To determine the fiscal impact of the proposed land uses;

Other

- (16) To establish a framework for monitoring the long-term effectiveness of the Plan; and
- (17) To meet the intent and direction of the Interim Growth Plan, the County Plan, the Greater Bragg Creek Area Structure Plan and other relevant policy frameworks.

Enabling Legislation

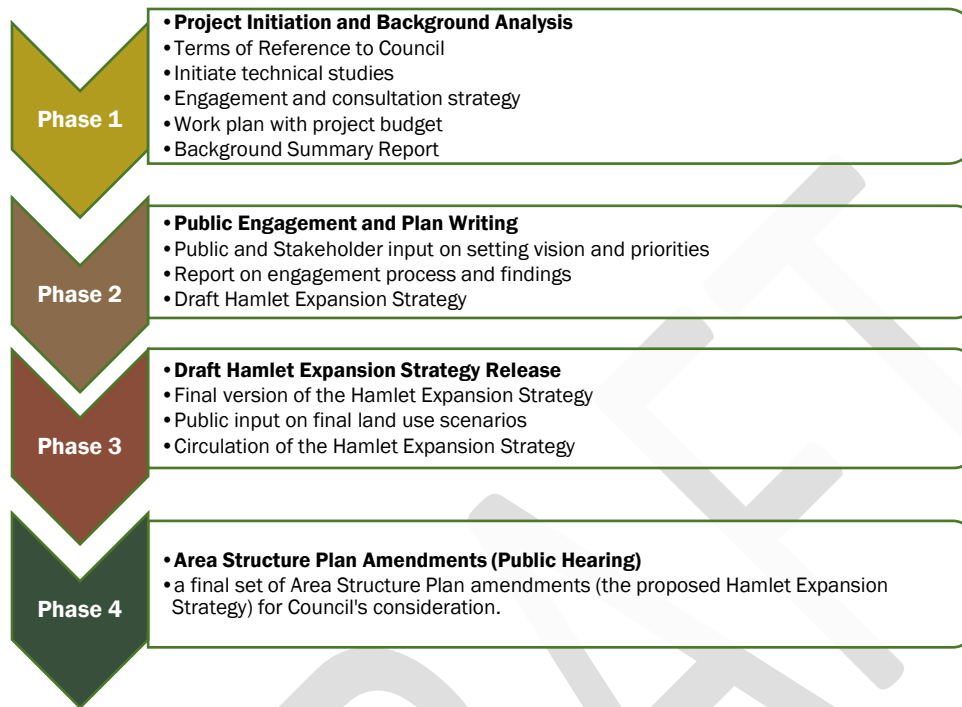
- 27 The *Municipal Government Act (MGA)*, *Revised Statutes of Alberta, 2000, Chapter M-26, as amended*, enables Council to adopt an area structure plan for the purpose of establishing a framework to guide subsequent subdivision and development within a defined area. In accordance with the MGA, the Greater Bragg Creek Area Structure Plan must describe, provide notification, and be consistent with the Act.



Bragg Creek Hamlet Expansion Strategy

Work Program

28 The Work Program is anticipated to occur in four phases.



Phase 1 – Project Initiation and Background Analysis (Nov 2018-Jan 2019)

29 In this phase, the baseline technical studies will be conducted while the project initiation and background analysis take place:

- (1) Confirm goals and objectives of the project and update Terms of Reference;
- (2) Conduct technical studies including, but not limited to, water and wastewater servicing strategy, transportation Impact analysis, and updated master drainage plan;
- (3) Initiate technical studies;
- (4) Develop a public and stakeholder engagement strategy;
- (5) Create a work plan and budget to guide overall project management; and
- (6) Create a Background Report to inform the review of the Area Structure Plan. The timing of the public release of the report will be in accordance with the public engagement strategy.

30 Phase 1 Deliverables:

- (1) Draft technical studies;
- (2) Engagement and consultation strategy;



Bragg Creek Hamlet Expansion Strategy

- (3) Work plan with project budget; and
- (4) Background report that identifies and summarizes the existing situation and potential issues.

Phase 2 – Public Engagement and Plan Writing (Feb 2019-May 2019)

- 31 This phase marks the official public launch of the project. It begins with public engagement and finishes with the writing of a draft plan. Public and stakeholder engagement will be conducted as per the engagement plan.
- 32 The preparation of the draft Hamlet Expansion Strategy integrates the community's vision for the area, with:
 - (1) The goals and objectives identified in the Terms of Reference;
 - (2) The results of the technical studies; and
 - (3) Relevant planning documents.
- 33 Phase 2 Deliverables:
 - (1) A report on public and stakeholder input on setting the vision and priorities; and
 - (2) A draft of the Hamlet Expansion Strategy.

Phase 3 – Draft Hamlet Expansion Strategy Release (June –Oct 2019)

- 34 This phase of the project is the release of the draft ASP amendments with an opportunity for public and agency review. Upon completion of the external review, the Hamlet Expansion Strategy will be amended as required.
- 35 Phase 3 Deliverables:
 - (1) Final version of the Hamlet Expansion Strategy with supporting technical studies;
 - (2) Release of the ASP Amendments (final - proposed) for public input; and
 - (3) Circulation of the Hamlet Expansion Strategy to agencies and adjacent municipalities.

Phase 4 – Area Structure Plan Amendments (Public Hearing) (Nov-Dec 2019)

- 36 This phase of the project is the public hearing and consideration of the proposed ASP amendments. It is anticipated that the Hamlet Expansion Strategy will be completed in the last quarter of 2019.

Conclusion

- 37 The Greater Bragg Creek ASP identifies the Bragg Creek expansion lands as a suitable location for future residential and institutional development. The Hamlet Expansion Strategy will ensure that proposed development is consistent with higher order planning policies, and that the area is prepared to accommodate future growth where appropriate.



ROCKY VIEW COUNTY
Cultivating Communities

Bragg Creek Hamlet Expansion Strategy



Approval Date	•
Replaces	• n/a
Lead Role	• County Manager
Committee Classification	• Council/Advisory
Last Review Date	• n/a
Next Review Date	•

Reeve

Approval Date



PLANNING SERVICES

TO:	Council	
DATE:	November 27, 2018	DIVISION: 5
FILE:	04329188	APPLICATION: PL20170167
SUBJECT:	Consideration of Bylaw C-7784-2018 – PL20170167 Conrich Truck Facility	

¹POLICY DIRECTION:

This redesignation application was presented to Council on November 13, 2018. Council closed the public hearing and tabled the application to a future Council meeting to consider alternative options.

EXECUTIVE SUMMARY:

The purpose of this report is to bring Application PL20170167 back to Council to consider alternative options. The application proposes to redesignate the subject land from Ranch and Farm Three District to Agricultural Holdings District and Business – Industrial Campus District to accommodate a proposed truck storage facility.

Should Council wish to allow the application to proceed, Council could direct Administration to work with the applicant to amend the Conrich Area Structure Plan accordingly to accommodate the proposed development (Option #2).

Alternatively, Council can direct the subject land to be included in the Future Policy Area Terms of Reference to be considered comprehensively under the Conrich Future Policy Area review, which is expected to commence in early 2019 (Option #3).

OPTIONS:

- | | | |
|-------------|---|---|
| Option # 1: | Motion #1 | THAT Council concludes that the proposed development is consistent with the Conrich Area Structure Plan policies. |
| | Motion #2 | THAT Bylaw C-7784-2018 be given first reading. |
| | Motion #3 | THAT Bylaw C-7784-2018 be given second reading. |
| | Motion #4 | THAT Bylaw C-7784-2018 be considered for third reading. |
| | Motion #5 | THAT Bylaw C-7784-2018 be given third and final reading. |
| | | |
| Option # 2: | THAT Council directs Administration to work with the applicant to amend the Conrich Area Structure Plan to accommodate the proposed development. | |
| Option # 3: | THAT Council directs Administration to include the entirety of the subject lands (Lot 1, Block 1, Plan 1110135 within NW-29-24-28-W04M) in the Conrich Future Policy Area Terms of Reference. | |
| Option # 4: | THAT application PL20170167 be refused. | |

¹ **Administration Resources**
 Johnson Kwan, Planning Services
 Gurbir Nijjar, Engineering Services



Respectfully submitted,

Sherry Baers

Executive Director
Community Development Services

Concurrence,

Rick McDonald

Interim County Manager

JKwan/rp

APPENDICES:

APPENDIX 'A': Original November 13, 2018 Staff Report Package



PLANNING SERVICES

TO:	Council	
DATE:	November 13, 2018	DIVISION: 5
TIME:	Afternoon Appointment	
FILE:	04329188	APPLICATION: PL20170167
SUBJECT:	Redesignation Item – Ranch and Farm Three District to Agricultural Holdings District and Business – Industrial Campus District	

¹POLICY DIRECTION:

The application was evaluated against the policies of the County Plan and the Conrich Area Structure Plan (ASP), and with the Land Use Bylaw, and was found to be non-compliant:

- The application conflicts with the Conrich ASP policy that does not support land use redesignation within the future policy area;
- The application conflicts with the Conrich ASP phasing strategy that states Phase 2 development should not proceed without demonstrating the market demand and without the regional stormwater solution being chosen, an appropriate governance system has been adopted, and mechanisms to implement the construction of the system have been identified;
- The application fails to meet the Conrich ASP requirement for a local plan and the associated technical studies, such as a wetland impact assessment and road design that accommodates potential changes in access to the provincial transportation network; and
- There is the potential that approval of the bylaw would be a contravention of Section 708.12(1)(c) of the *Municipal Government Act*, which requires any adopted bylaw to be in alignment with a growth plan for the region.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject land from Ranch and Farm Three District to Agricultural Holdings District and Business – Industrial Campus District to accommodate a proposed truck storage facility.

The Conrich Area Structure Plan (ASP) identifies the northeast portion of the subject land as Future Policy Area, and the southwest portion as Phase 2 Industrial area.

As per the Conrich ASP, land use redesignation and subdivision shall not be supported in the Future Policy Area, whereas Phase 2 development may proceed subject to two criteria:

1. Market demand has been demonstrated; and
2. A regional stormwater conveyance system has been chosen, an appropriate governance system has been adopted, and mechanisms to implement the construction of the system have been identified.

The Applicant did not demonstrate the market demand, as approximately 1,300 acres of Phase 1 lands are still undeveloped. The regional stormwater conveyance system's implementation has not yet been determined. Therefore the application conflicts with the Conrich ASP phasing strategy.

¹ **Administration Resources**

Johnson Kwan, Planning Services
Gurbir Nijjar, Engineering Services



The Applicant also fails to meet the Conrich ASP local plan requirements for industrial applications. Without the local plan, the associated public engagement, and the supporting technical materials, it is difficult to determine the proposed development's potential impacts to the adjacent residential subdivision.

Allowing the application to proceed at this time would defeat the logical extension of development, and would result in leapfrog development that may not be compatible with the adjacent residential development.

Approval of this redesignation application could cause a future problem for the subdivision authority, as it must not approve the subsequent subdivision application in accordance with Section 654 (1) (b) of the *Municipal Government Act*, as the proposed subdivision would not conform to the provisions of the Statutory Plan. Administration determined that the application does not meet policy.

Should Council wish to allow the application to proceed, Council could direct Administration to amend the Conrich Area Structure Plan. The Conrich Area Structure Plan amendments would be ranked and assessed based on the Council adopted Area Structure Plan Priority Policy (#322).

The Conrich Future Policy Area is included on the 2019 work plan and is expected to commence in early 2019. The northeastern portion of the subject land will be included as part of the Future Policy area review process.

Alternatively, Council can also table the application sine die, pending a revised application and submission of a local plan with associated technical studies, in accordance with the Conrich Area Structure Plan.

DATE APPLICATION RECEIVED:

October 23, 2017

DATE DEEMED COMPLETE:

June 16, 2018

PROPOSAL:

To redesignate approximately 5.34 hectares (\pm 13.2 acres) of the subject land from Ranch and Farm Three District to Business – Industrial Campus District, and to redesignate \pm 7.87 hectares (\pm 19.45 acres) to Agricultural Holdings District to accommodate a proposed truck storage facility.

LEGAL DESCRIPTION:

Lot 1, Block 1, Plan 1110135, within NW-29-24-28-W4M

GENERAL LOCATION:

Located approximately 0.8 km (1/2 mile) north of Highway 1, on the east side of Range Road 285.

APPLICANT:

Terradigm Developments Consultants Inc.

OWNERS:

Stuart Longair

EXISTING LAND USE DESIGNATION:

Ranch and Farm Three District

PROPOSED LAND USE DESIGNATION:

Agricultural Holdings District and Business – Industrial Campus District

GROSS AREA:

\pm 13.21 hectares (\pm 32.65 acres)

SOILS (C.L.I. from A.R.C.):

Class 170 1 W130 - The land contains soil with no significant limitation for crop production.

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 19 adjacent landowners (representing 35 adjacent properties), and one letter in opposition was received in response (Appendix 'D'). The application was also circulated to a number of internal and external agencies. The responses are available in Appendix 'A'.

**HISTORY:**

June 2018	The Applicant submitted the Traffic Impact Assessment updates based on circulation comments.
January 2018	The Applicant submitted a Traffic Impact Assessment and Stormwater Management Plan for review and circulation. The Applicant insisted on proceeding without a local plan and other technical materials as required by the Conrich ASP.
October 2017	The Applicant submitted a new application to redesignate the subject land from Ranch and Farm Three District to Business – Industrial Campus District and Agricultural Holding District. The application was deemed incomplete due to outstanding technical studies, including but not limited to, a local plan, servicing strategy, stormwater management plan, traffic impact assessment, and details in regard to the proposed development.
April 2017	Land Use Application (2011-RV-167) to redesignate the subject land from Ranch and Farm Three District to Business – Industrial Campus District and Business – Agricultural Services District was closed in accordance with Council Policy #300, as the application had been inactive for over 12 months.
December 2015	Council adopted the Conrich Area Structure Plan (Bylaw C-7468-2015) to provide a policy framework for land use, subdivision, and development in the area.
January 2011	Plan 111 0135 was registered, creating the subject land (± 13.21 hectares [± 32.65 acres]) with a 49.27 hectare (± 121.76 acre) Ranch and Farm District remainder (Application 2010-RV-016).
June 2010	The subject land was redesignated from Ranch and Farm District to Ranch and Farm Three District to create a ± 13.21 hectare (± 32.59 acre) parcel with ± 49.27 hectare (± 121.76 acre) remainder (Application 2010-RV-015; Bylaw C-6911-2010).

BACKGROUND:

The subject land is located in the Conrich area, approximately 0.8 km (1/2 mile) north of Highway 1 and on the east side of Range Road 285. The property is currently vacant with no servicing on site.

Surrounding areas to the north and west are now mainly agricultural land. The Cambridge Park residential subdivision, with approximately 118 residences and more planned in the future, is located just east and south of the subject land, across the CN railway.

POLICY ANALYSIS:Interim Growth Plan

The *Municipal Government Act* includes provisions to ensure that municipalities are making decisions that are in line with a growth plan for the region. Section 708.12(1) states that,

“No participating municipality shall take any of the following actions that conflict or are inconsistent with a growth plan:

(c) Make a bylaw or pass a resolution.”

The effect of a redesignation is to pass a bylaw amending the land use of a parcel of land. There is the potential that the effect of the bylaw in question could be inconsistent with a growth plan for the



region, resulting in increased risk for the County for any subsequent development activities that may take place.

County Plan Bylaw C-7280-2013

The County Plan directs business development to identified business areas (Policy 14.2). Map 1 of the County Plan identifies Conrich as a Regional Business Centre.

The subject land is located within the Conrich Area Structure Plan (ASP). As such, the application was evaluated in accordance with the Conrich ASP policies.

Conrich Area Structure Plan Bylaw C-7468-2015

The Conrich ASP identifies the northeast portion of the subject land as Future Policy Area and the southwest portion as Industrial area within Phase 2 development.

Overall, the application does not meet the Conrich ASP policies in the following manner:

- The northeast portion of the land is within the Future Policy Area, where land use redesignation shall not be supported until the area is being comprehensively planned (Policy 7.1);
- The southwest portion is within Phase 2 development, which would be premature to proceed at this time (Policy 27.16); and
- No local plan (conceptual scheme) was submitted to address the required technical considerations (Policy 11.6, 19.3, 19.4, 22.10 and 22.18), including :
 - Transition to the residential areas;
 - Connectivity to the surrounding lands;
 - Mitigation of off-site impacts;
 - Wetland Classification and mitigation; and
 - Road design and layouts.

A detailed policy analysis is described in the table below.

Table 1: Relevant Conrich ASP policies and Analysis

Relevant Conrich ASP Policies	Analysis
Section 7 Conrich Development Strategy – Future Policy Area	
Policy 7.1 Local plans, land use redesignation, and new subdivision shall not be supported within the future policy area as shown on Map 5.	<ul style="list-style-type: none"> • The northeast portion of the subject land is identified as Future Policy Area, which does not allow for redesignation and subdivision until the policies have been determined in this area. • The Applicant proposed to redesignate the northeast portion to Agricultural Holding District to be used for stormwater management purposes for the proposed truck storage facility.
Section 11 Industrial Development	
Policy 11.2 Development of industrial uses should proceed in an orderly manner and be supported by cost effective and efficient changes to the County's existing infrastructure and transportation networks.	<ul style="list-style-type: none"> • Currently, there are no logical extensions of servicing infrastructure in the area. The proposed development is located in Phase 2, which is not intended to proceed at this time.



Relevant Conrich ASP Policies	Analysis
Policy 11.3 Industrial uses such as distribution logistics, warehousing, transportation, industrial services, construction, manufacturing, services, and industrial storage that do not have significant offsite nuisance factors are appropriate within the industrial area.	<ul style="list-style-type: none"> The proposed truck storage facility is related to transportation and industrial services. The proposed land use district (B-IC) allows for a range of commercial and industrial development (see Appendix B).
Policy 11.5 Industrial uses with the potential for offsite impacts such as unsightly appearance, noise, odour, emission of contaminants, fire or explosive hazards or dangerous goods may be located in the area identified as heavy industrial on Map 5.	<ul style="list-style-type: none"> The proposed truck storage facility may result in unsightly appearance and other emissions, such as noise, dust, traffic, lighting, and runoffs that may affect the adjacent residential development without proper screening, landscaping, and other mitigations in place.
Policy 11.6 A local plan shall be required to support applications for industrial development. The local plan shall:	<ul style="list-style-type: none"> The Applicant insisted on proceeding without submitting a local plan.
a. Ensure that the type of uses for the industrial area are consistent with those identified in Policies 11.3 to 11.5;	<ul style="list-style-type: none"> The proposed land use district (B-IC) meets the intent of policy 11.3 to 11.5; however, the proposed truck storage facility may not be an appropriate use for this location.
b. Where necessary, provide a strategy to mitigate offsite impacts, including noise reduction due to operations;	<ul style="list-style-type: none"> The Applicant did not provide any strategy to mitigate the potential off-site impacts. The Cambridge Park residential subdivision is located just east and south of the subject land.
c. Address the policies of this plan regarding non-residential/residential interface areas, where required;	<ul style="list-style-type: none"> The Applicant did not provide any interface strategy in support of the application; as mentioned, the proposed facility is located in close proximity to the residential development in Cambridge Park.
d. Address the County's Commercial, Office, and Industrial Design Guidelines, and document how the local plan meets those guidelines; and	<ul style="list-style-type: none"> The Applicant indicated that the truck storage facility would not have any building on site. No further details were provided as part of the application.
e. Provide landscaping, lot, and building design requirements that provide for high quality development.	<ul style="list-style-type: none"> Administration requested a landscaping plan as part of the application. However, the Applicant did not submit any drawings and indicated that the landscaping plan would be provided at future Development Permit stage.



Relevant Conrich ASP Policies	Analysis
Policy 11.7 All private lighting, including security and parking area lighting, shall be designed in accordance to the County's 'dark sky' Land Use Bylaw requirements, conserve energy, reduce glare, and minimize light trespass onto surrounding properties.	<ul style="list-style-type: none"> The Applicant did not provide any details to mitigate the potential light pollution that may affect the Cambridge Park residential subdivision located immediately to the southeast of the subject land.
Section 19 – Natural Environment	
Policy 19.3 Local plans shall identify the classification and value of wetlands within the local plan area boundary. This shall be done as part of a wetland assessment, to be provided at the local plan preparation stage.	<ul style="list-style-type: none"> No assessment was provided. The Wetland Impact Model indicates there is an altered wetland on site. The aerial photo shows a large waterbody located on the north side and at the centre of the subject land.
Policy 19.4 Local plans shall determine, through consultation with the Province, whether wetlands are Crown-owned land.	<ul style="list-style-type: none"> No assessment was provided. The Applicant did not provide any correspondence with the Province with regard to the potential wetland impact.
Policy 19.5 Wetlands, not claimed by the Crown, that have a high relative value should be dedicated as environmental reserve or environmental reserve easement.	<ul style="list-style-type: none"> No assessment was provided. The Applicant proposed the use of the existing water bodies as stormwater management facilities.
Section 22 – Transportation	
Policy 22.1 A transportation impact assessment shall be required as part of the local plan preparation and/or subdivision application process.	<ul style="list-style-type: none"> The Applicant submitted a Transportation Impact Assessment, prepared by JCB Engineering, dated September 6, 2017, and updated on January 16, 2018, and June 16, 2018.
Policy 22.2 All subordinate transportation analyses must respect and conform to the Conrich Master Transportation Plan	<ul style="list-style-type: none"> See agency comments in Appendix A.
Policy 22.10 a) where required local plans shall be designed to accommodate existing and/or potential changes in access to the provincial transportation network as identified on Map 8.	<ul style="list-style-type: none"> The Applicant is aware of the future road that will bisect the subject land. The proposed redesignation takes this future road into account; Alberta Transportation recommended that the existing Highway 1 and Range Road 285 intersection be assessed to ensure sufficient capacity exists and to ensure the continued safe and effective operation of the intersection once development traffic is added.



Relevant Conrich ASP Policies	Analysis
Policy 22.18 the type of road cross section (urban or rural) with industrial areas shall be determined at the time of local plan preparation.	<ul style="list-style-type: none"> No road layout or cross section was provided as part of the application; The Conrich ASP illustrates a future 'Major 4 Lanes' road that would bisect the subject land and provide north-south connection to a future Highway 1 interchange. Range Road 285, just north of the railway line, will be terminated and will remain as a 'Collector 2-Lanes' road.
Section 27 – Implementation	
<p>Policy 27.16 Phase 2 lands may proceed with development subject to the policies of this plan and when:</p> <ol style="list-style-type: none"> Market demand has been demonstrated; and A regional stormwater conveyance system has been chosen, and appropriate governance system has been adopted, and mechanisms to implement the construction of the system have been identified. 	<ul style="list-style-type: none"> Currently, the majority of the Phase 1 industrial area is still undeveloped (approximately 1,346 acres, including Conrich Station and several quarter sections along Township Road 250). The Applicant generally described the demand for a truck storage facility in the Calgary Region; however, the Applicant did not demonstrate the market demand for the Phase 2 area, and did not provide a rationale as to why the proposed development should be able to proceed at this time.

Land Use Bylaw C-4841-97

A portion of the subject land would be redesignated to Agricultural Holdings District, and a portion would be redesignated to Business – Industrial Campus District. Appendix B outlines the list of uses in the Business – Industrial Campus District for reference.

The proposed Agricultural Holdings portion is ± 7.87 hectares (± 19.45 acres) in size, which does not meet the minimum parcel size requirement for the district as per Section 46.5 of the Land Use Bylaw (minimum 20.01 acres).

In accordance with Section 654 (2) of the *Municipal Government Act*, a subdivision authority may approve an application even though the proposed subdivision does not comply with the land use bylaw if, in its opinion:

- The proposed subdivision would not*
 - unduly interfere with the amenities of the neighbourhood, or*
 - materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,**and*
- the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.*

However, the subdivision authority must not approve the subsequent subdivision application in accordance with Section 654(1)(b) of the *Municipal Government Act* as the proposed subdivision would not conform to the provisions of the statutory plan.

The following table outlines the purpose and intent of the existing and proposed land use districts.

Table 2: Land Use Bylaw Details



Land Use District	Purpose and Intent
Ranch and Farm Three District Existing parcel: \pm 13.21 hectares (\pm 32.65 acres)	<ul style="list-style-type: none"> To provide for a range of smaller parcel sizes for agricultural uses. The intent is to accommodate traditional and emerging trends in agriculture that may successfully be developed on smaller parcels of land. Residential uses are accessory to the agricultural use.
Agricultural Holdings District Proposed Remainder: \pm 7.87 hectares (\pm 19.45 acres)	<ul style="list-style-type: none"> To provide for a range of parcel sizes for agricultural uses. This district provides for traditional agricultural pursuits on large parcels of land. It also recognizes the emerging trends towards new agricultural uses that may be successfully developed on smaller parcels of land.
Business – Industrial Campus District Proposed Lot 1: \pm 5.34 hectares (\pm 13.2 acres) Potential for five-lot subdivision based on minimum parcel size of 2.50 acres.	<ul style="list-style-type: none"> To accommodate a combination of office and industrial activity, where there may be some on-site nuisance factors, but none off-site. Outdoor storage is provided for, but must be satisfactorily screened from adjacent properties; Business-Industrial Campus districts may be located in areas with limited or full services with industrial and commercial intent, such as transportation routes, and in areas identified in adopted hamlet plans, conceptual schemes, or area structure plans; Development will address issues of compatibility and transition with respect to adjacent land uses. Support businesses are allowed for on-site and locally-based employees and regional clientele.

NON-STATUTORY POLICY ANALYSIS:

The applicant submitted the following technical information as part of the application:

- A cover letter indicating that no water or wastewater servicing would be provided on site (Terradigm Development Consultants Inc., dated January 23, 2018);
- A Traffic Impact Assessment (JCB Engineering, dated September 6, 2017, updated on January 16, 2018 and June 16, 2018); and
- A Conceptual Stormwater Management Plan (Michael A. Schaaljie, dated October 2017).

The application was circulated to a number of internal and external agencies, including the City of Calgary; the City expressed two concerns with this application moving forward at this time:

- First, a portion of the site is located within Phase 2 as per Map 13: Phasing of the Conrich ASP. Development of these lands should not proceed until the Cooperative Stormwater Management Initiative (CSMI) has been developed, adopted and mechanisms to implement the construction of the conveyance system have been concluded.



ROCKY VIEW COUNTY
Cultivating Communities

- Second, the remainder of the site is located within the Future Policy Area as per Map 5: Land Use Strategy of the Conrich ASP. It is premature to support a land use redesignation in absence of a more comprehensive approach.

The detailed response is available in Appendix 'A'.

CONCLUSION:

The application was evaluated against the County Plan and Conrich Area Structure Plan (ASP) policies and the Land Use Bylaw, and was found to be non-compliant:

- The application conflicts with the Conrich ASP policy that does not support land use redesignation within the future policy area;
- The application conflicts with the Conrich ASP phasing strategy that states Phase 2 development should not proceed without demonstrating the market demand and without the regional stormwater solution being chosen, an appropriate governance system has been adopted, and mechanisms to implement the construction of the system have been identified; and
- The application fails to meet the Conrich ASP requirement for a local plan and the associated technical studies.

Allowing the application to proceed at this time would defeat the logical extension of development and servicing infrastructure, and would result in leapfrog development that may not be compatible with the adjacent residential development.

If a future subdivision application is made, approval of this redesignation application could cause a problem for the subdivision authority, as it must not approve the subsequent subdivision application in accordance with Section 654 (1) (b) of the *Municipal Government Act*, as the proposed subdivision would not conform to the provisions of the Statutory Plan.

Should Council wish to allow the application to proceed, Council may direct Administration to amend the Conrich Area Structure plan. The Conrich Area Structure Plan amendments would be ranked and assessed based on the Council adopted Area Structure Plan Priority Policy (#322).

The Conrich Future Policy Area is anticipated to be on the 2019 work plan, and is expected to commence once Council adopts the Terms of Reference. The northeastern portion of the subject land will be included as part of the Future Policy Area review process.

Alternatively, Council can also table the application sine die, pending for a revised application and submission of a local plan with associated technical studies in accordance with the Conrich Area Structure Plan.

**OPTIONS:**

- Option # 1: Motion #1 THAT Council concludes that the proposed development is consistent with the Conrich Area Structure Plan policies.
- Motion #2 THAT Bylaw C-7784-2018 be given first reading.
- Motion #3 THAT Bylaw C-7784-2018 be given second reading.
- Motion #4 THAT Bylaw C-7784-2018 be considered for third reading.
- Motion #5 THAT Bylaw C-7784-2018 be given third and final reading.
- Option # 2: THAT Council directs review of the Conrich Area Structure Plan for amendment to accommodate the proposed development.
- Option # 3: THAT application PL20170167 be tabled sine die, pending a revised application and submission of a local plan with associated technical studies, in accordance with the Conrich Area Structure Plan.
- Option # 4: THAT application PL20170167 be refused.

Respectfully submitted,

Concurrence,

"Sherry Baers"

"Rick McDonald"

Acting General Manager_____
Interim County Manager

JKwan/rp

APPENDICES:

- APPENDIX 'A': Application Referrals
- APPENDIX 'B': Extract from Land Use Bylaw
- APPENDIX 'C': Bylaw C-7784-2018 and Schedule A
- APPENDIX 'D': Map Set
- APPENDIX 'E': Landowner comments



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No comments.
Calgary Catholic School District	No comments received.
Public Francophone Education	No comments received.
Catholic Francophone Education	No comments received.
<i>Province of Alberta</i>	
Alberta Energy Regulator	No comments received.
Alberta Health Services	No comments.
Alberta Transportation	<p>Alberta Transportation has reviewed the above referenced development proposal, and offers the following comments and observations:</p> <ol style="list-style-type: none"> 1. The proposed development is greater than 1600 metres from the intersection of Highway 1 and Range Road 285, and is therefore exempt from the requirements of the Highway Development and Protection Act and Regulations. 2. Future subdivision would be required to comply with the Subdivision and Development Regulation as it is within 1.6 km of Highway 1. 3. Alberta Transportation's plan for Highway 1 as a freeway includes closure of the at-grade intersection at Range Road 285, with construction of an interchange as shown on the attached plan. The proposed subdivision appears consistent with these plans. 4. As a condition of subdivision approval, it is recommended that the existing Highway 1 and Range Road 285 intersection be assessed to ensure sufficient capacity exists as well as the continued safe and effective operation of the intersection once development traffic is added.
<i>Public Utility</i>	
ATCO Gas	No objection.
ATCO Pipelines	The Engineering Department of ATCO Pipelines (a division of ATCO Gas and Pipelines Ltd. has reviewed the above named plan and has no objections subject to the following conditions:



AGENCY	COMMENTS
	<ol style="list-style-type: none"> 1. Ground disturbances and surface works within 30 metres require prior written approval from ATCO Pipelines before commencing any work. <ol style="list-style-type: none"> a. Municipal circulation file number must be referenced as set forth in the company's conditional approval letter. b. Contact ATCO Pipelines' Land Department at 1-888-420-3464 for more information. 2. Any revision or amendments to the proposed plan(s) must be re-circulated to ATCO Pipelines for further review.
AltaLink Management	No comments received.
FortisAlberta	No objections to the proposal and no easements are required.
Telus Communications	<p>Please accept this letter advising TELUS communications Inc. has no objection to the current land owner proceeding with this application.</p> <p>If TELUS requires to place future facilities on private lands to service future customers, we will require a URW at that time.</p> <p>It is the landowner's responsibility to ensure they contact Alberta One-Call to ensure no facilities will be disrupted. If at any time, TELUS facilities are disrupted, it will be at the sole cost of the landowner.</p>
TransAlta Utilities Ltd.	No comments received.
<i>Other External Agencies</i>	
City of Calgary	<p>The City of Calgary has reviewed the above noted applications in reference to the Rocky View County/City of Calgary Intermunicipal Development Plan (IDP) and other applicable policies.</p> <p>The City of Calgary believes this application does not appear to align with the policy and intentions of the Conrich Area Structure Plan (ASP). As such, the City of Calgary recommends against the approval of this application.</p> <p>While the use appears to be appropriate, the City of Calgary has two concerns with this application moving forward at this time. A portion of the site is located within Phase 2 as per Map 13: Phasing of the Conrich ASP. Development of these lands should not proceed until the Cooperative Stormwater Management Initiative (CSMI) has been developed, adopted and mechanisms to implement the construction of the conveyance system have been concluded.</p>



AGENCY	COMMENTS
City of Chestermere	<p>The remainder of the site is located within the Future Policy Area as per Map 5: Land Use Strategy of the Conrich ASP. It is premature to support a land use redesignation in absence of a more comprehensive approach.</p> <p>Thank you for the opportunity to comment on the proposed Land Use Redesignation application.</p> <p>Upon our review, we have noted that the proposed land use re-designation falls under the Future Policy Area of the Conrich Area Structure Plan (ASP). As per policy 7.1 of the ASP, Local plans, land use redesignation, and new subdivision shall not be supported. It is our understanding that a final land use plan will be developed as a separate process and amended into the ASP, which, to our knowledge has not occurred yet.</p> <p>The proposed land use application does not appear to comply with the policies of the ASP, in particular the policies under Future Policy Area. Should RVC Staff confirm that this application does not comply with the policies of the ASP, we recommend against the approval of the proposed application.</p> <p>Please feel free to contact me if you have any questions or concerns regarding the above comments</p>
EnCana Corporation	No comments received.
CN Railway	<p>Non-residential Development Adjacent to the Railway Right-of-way (Main Lines).</p> <p>CN recommends the following protective measures for non-residential uses adjacent Main Lines (note some are requirements):</p> <ul style="list-style-type: none"> • A minimum 30 meter building setback, from the railway right-of-way, in conjunction with a 2.5 meter high earthen berm or 2.0 meters for a secondary main line, is recommended for institutional, commercial (i.e. office, retail, hotel, restaurants, shopping centres, warehouse retail outlets, and other places of public assembly) and recreational facilities (i.e. parks, outdoor assembly, sports area). • A minimum of 15 meter building setback, from the railway right-of-way, is recommended for heavy industrial, warehouse, manufacturing and repair use (i.e. factories, workshops, automobile repair and service shops). • A minimum 30 meter setback is <u>required</u> for vehicular property access points from at grade railway crossings. If not feasible, restricted directional access designed to prevent traffic congestion from fouling the crossing may



AGENCY	COMMENTS
	<p>be a suitable alternative.</p> <ul style="list-style-type: none"> A chain link fence of minimum 1.83 meter height is required to be installed and maintained along the mutual property line. With respect to schools and other community facilities, parks and trails, CN has experienced trespass problems with these uses located adjacent to the railway right-of-way and therefore increased safety/security measures must be considered along the mutual property line, beyond the minimum 1.83 m high chain link fence. Any proposed alterations to the existing drainage pattern affecting Railway property <u>require</u> prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway. While CN has no noise and vibration guidelines that are applicable to non-residential uses, it is recommended the proponent assess whether railway noise and vibration could adversely impact the future use being contemplated (hotel, laboratory, precision manufacturing). It may be desirable to retain a qualified acoustic consultant to undertake an analysis of noise and vibration, and make recommendations for mitigation to reduce the potential for any adverse impact on future use of the property. For sensitive land uses such as schools, daycares, hotels, etc, the application of CN's residential development criteria is <u>required</u>. There are no applicable noise, vibration and safety measures for unoccupied buildings, but chain link fencing, access and drainage requirements would still apply.
<i>Rocky View County Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldmen	No comments received.
Chestermere-Conrich Board	No comments.
<i>Internal Departments</i>	
Agricultural Services	Because this parcel falls within the Conrich Area Structure Plan, Agricultural Services has no concerns. The application of the Agricultural Boundary Design Guidelines may be beneficial in buffering the industrial land use from the agricultural land uses surrounding the parcel. The guidelines would help mitigate areas of concern including: trespass, litter, pets, noise and concern over fertilizers, dust & normal



AGENCY	COMMENTS
	agricultural practices.
Municipal Lands	No concerns with this land use redesignation applications. Comments pertaining to reserve dedication will be provided at any future subdivision stage.
Development Authority	No comments received.
GeoGraphics	No comments received.
Building Services	No comments received.
Enforcement Services	No concerns.
Emergency Services	<p>Having reviewed the circulation, the Fire Service has the following comments:</p> <ol style="list-style-type: none"> 1. Please ensure that water supplies and hydrants for the development are sufficient for firefighting purposes. 2. Please ensure that access routes are compliant to the designs specified in the Alberta Building Code and RVC's servicing standards and that there is adequate access throughout the site which is compliant to the Alberta Building Code. <p>There are no further comments at this time.</p>
Infrastructure and Operations - Engineering Services	<p>General</p> <ul style="list-style-type: none"> • The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures; • As a condition of future DP, the applicant will be required to submit a construction management plan addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details; • As a condition of future subdivision or DP, the applicant shall be responsible to dedicate all necessary easements and ROWs for utility line assignments and provide for the installation of all underground shallow utilities with all necessary utility providers to the satisfaction of the County; • The subject lands are located within the Conrich Area Structure Plan for which the lands are divided into the Future Policy Area and Phase II of the industrial area.



AGENCY	COMMENTS
	<p>The proposal is to redesignate the land situated in the Phase II area of the plan;</p> <ul style="list-style-type: none"> The proposed land use district (Business – Industrial Campus) contains uses that accommodate a combination of office and industrial activity that may require limited or full services. Albeit the current proposal is for truck parking which requires limited to no servicing, it is recommended that the lands be appropriately serviced should the application be approved. <p>Geotechnical - Section 300.0 requirements:</p> <ul style="list-style-type: none"> ES has no requirements at this time; As a condition of future DP, the applicant will be required to conduct an onsite geotechnical evaluation, conducted by a qualified geotechnical professional, to assess the onsite subsurface (soil and groundwater) conditions to develop appropriate geotechnical recommendations for the design and construction of the proposed development. <p>Transportation - Section 400.0 requirements:</p> <ul style="list-style-type: none"> The applicant provided a Transportation Impact Assessment prepared by JCB Engineering Ltd. dated June 25, 2018. The TIA analyzed the impacts of the proposed truck storage facility and concludes that the site access and key intersections along Range Road 285 will continue to function within acceptable capacity for the long and short term horizons. ES has no further concerns; The future re-alignment of Range Road 285 is proposed to bisect the subject lands. As a condition of future DP, the applicant will be required to prepare an access ROW plan and enter into a Road Acquisition Agreement with the County for the acquisition of the 36m ROW required for the re-alignment of RR 285 (matches Phase III of Cambridge Park). The agreement shall stipulate that the lands shall be purchased for \$1 by the County at time of the acquisition; No further widening or road dedication has been identified along Range Road 285 adjacent to the subject lands As a condition of future subdivision or DP, the applicant will be required to provide payment of the Transportation Off-Site Levy in accordance with the applicable levy at time of approval for the total gross acreage of the lands proposed to be subdivided or developed. The total levy to be collected will be calculated at time of subdivision based on the plan of survey or at DP stage based on the site development plan. Should the proposed B-IC area



AGENCY	COMMENTS
	<p>be subdivided, the estimated levy payment owed at time of subdivision endorsement is \$168,934 (Base =</p> <ul style="list-style-type: none"> • \$4,595/ac x 16.2 ac = \$74,439; Special Area 2 = \$5,833/ac x 16.2 ac = \$94,495). • As a condition of future subdivision or DP, the applicant will be required to construct a paved commercial approach from Range Road 285 to the subject lands in accordance with the requirements of the County Servicing Standards. <p>Sanitary/Waste Water - Section 500.0 requirements:</p> <ul style="list-style-type: none"> • As part of the application, the applicant explored the option of extending the wastewater collection system from the adjacent Cambridge Park development to the subject lands; • The applicant indicated that given the size of the subject lands and nature of the proposed development, connection to piped services is not feasible at this time and will connect to services once available; • As per Policies 23.9 and 23.15, all new development shall connect to the County's potable water and wastewater system. Albeit the current proposal is for truck parking which requires no servicing, it is recommended that the lands be serviced with piped water and wastewater should the application be approved as the proposed district contains uses that accommodate a combination of office and industrial activity that may require limited or full services. • ES recommends that as a condition of future subdivision or DP, the applicant will be required to provide payment of the Wastewater Offsite Levy in accordance with applicable levy at time of Subdivision approval for the total gross wastewater capacity needed to service the proposed development. • ES recommends that as a condition of future subdivision or DP, the applicant will be required to provide a cost recovery payment for the use of the Conrich West Lateral Lift Station in accordance with the active Cost Recovery Agreement with Sage Properties Ltd. for the total gross wastewater capacity needed to service the proposed development. <p>Water Supply And Waterworks - Section 600.0 & 800.0 requirements:</p> <ul style="list-style-type: none"> • As part of the application, the applicant explored the option of extending the water distribution system from the adjacent Cambridge Park development to the subject lands; • The applicant indicated that given the size of the subject



AGENCY	COMMENTS
	<p>lands and nature of the proposed development, connection to piped services is not feasible at this time and will connect to services once available;</p> <ul style="list-style-type: none"> As per Policies 23.9 and 23.15, all new development shall connect to the County's potable water and wastewater system. Albeit the current proposal is for truck parking which requires no servicing, it is recommended that the lands be appropriately serviced should the application be approved as the proposed district contains uses that accommodate a combination of office and industrial activity that may require limited or full services; ES recommends that as a condition of subdivision or DP, the applicant is required to provide confirmation of tie-in to the Cambridge Park water distribution system for the proposed subdivision as per the approved Tentative Plan. The applicant will be required to provide: <ul style="list-style-type: none"> Confirmation from the Cambridge Park Water Provider that adequate water supply is available for the proposed subdivision; Documentation showing that the necessary water supply has been purchased for all proposed lots Documentation showing that all necessary water infrastructure will be installed and that the water supplier has approved the associated plans and specification (Servicing Agreement) <p>It is to be noted that the Water Treatment Plant & distribution system in the Cambridge Park development has been sized to service only the Cambridge Park development however, the system can be expanded to add more users through connection to the County Potable Water Reservoir east of the subject lands</p> <ul style="list-style-type: none"> Should the application be approved, as a condition of future subdivision or DP, the applicant will be required to address all fire suppression requirements for the proposed development in accordance with the requirements the County Servicing Standards and all applicable bylaws. <p>Storm Water Management – Section 700.0 requirements:</p> <ul style="list-style-type: none"> The applicant provided a Conceptual Stormwater Management Plan prepared by Sim-Flo Systems Inc. dated October 2017; The Stormwater Report provided an assessment of the subject lands and surrounding areas and provided a stormwater management concept for the proposed development which consists of the expansion of the existing water body at the north end of the site to an



AGENCY	COMMENTS
	<p>evaporation pond to manage stormwater flows from the proposed development;</p> <ul style="list-style-type: none"> • As this existing water body is shared across the adjacent parcel to the north, the concept includes a berm along the northern property line to separate the north and south portions of the water body; • The report analyzed the impacts of the development to the overall footprint of the water body and recommends the use of an overflow device through the berm to maintain the depth and footprint of the portion of the water body to the north to ensure that the private lands are not further inundated due to the proposed development. ES has reviewed the report and concept and has no further concerns at this time; • As a condition of future DP, the applicant is required to submit detailed engineering drawings (SSIP) for the stormwater management system, prepared by a qualified professional, in accordance with the Conceptual Stormwater Management Plan prepared by Sim-Flo Systems Inc, Conrich Master Drainage Plan and County Servicing Standards; • As a condition of future DP, the applicant is required to provide a sediment and erosion control plan, prepared by a qualified professional, addressing ESC measures to be implemented during construction in accordance with the requirements of the County's Servicing Standards. <p>Environmental – Section 900.0 requirements:</p> <ul style="list-style-type: none"> • ES has no requirements at this time; • Numerous large wetlands exist within the area proposed to be rezoned to B-IC. The proposed stormwater management concept proposed to expand this wetland area to manage stormwater flows from the proposed development; • As a condition of future DP, the applicant will be responsible to obtain all necessary approvals from AEP under the Water Act for the conversion of the existing wetland to a stormwater management facility.
Infrastructure and Operations - Maintenance	This area has been subject to historical overland flooding. A stormwater management plan should be required at Development Agreement Stages.
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations – Utility Services	No concerns.



AGENCY	COMMENTS
Infrastructure and Operations – Road Operations	<p>Existing access may require relocation due to proximity to the railway crossing, and may require upgrades due to truck turning movements.</p> <p>Range Road 285 is a high traffic volume road with posted speed of 80 km/h, Has the Applicant Traffic Assessment included a warrant analysis for turn tapers along Rge, Rd, 285 to facilitate truck turning movements into and out of the site.</p> <p>Proposed truck storage facility is positioned immediately west of Cambridge residential subdivision. Noise associated with truck storage facility will most likely create noise concerns. Applicant to confirm how he intends to mitigate any noise concerns.</p>
Agriculture and Environmental Services - Solid Waste and Recycling	No comments.

Circulation Period: March 8, 2018 to March 29, 2018.

Recirculation Period: June 16, 2018 – July 16, 2018



APPENDIX B: EXTRACT FROM LAND USE BYLAW

Section 74 Business – Industrial Campus Districts (B-IC)**Section 74.2 Uses, Permitted***Building Accessory buildings**Commercial Communications Facilities (Types A, B, C)**Contractor, general**Contractor, limited**General industry Type I**Government Services**Offices**Patio, accessory to the principal business use**Restaurant**School or College, Commercial**Signs***Section 74.3 Uses, Discretionary***General industry Type II**Kennels**Laboratories**Outdoor display area (See Section 26 for Display Area regulations)**Outdoor storage, truck trailer**Outside storage**Personal Service Business**Recycling collection point**Retail store, local (Floor Area up to 600 m² (6,458.35 ft²))**Retail store, regional**Truck trailer service**Warehouse**Waste transfer site*

Any use that is similar, in the opinion of the *Development Authority*, to the permitted or discretionary uses described above that also meets the purpose and intent of this district



BYLAW C-7784-2018

A Bylaw of Rocky View County to amend Land Use Bylaw (C-4841-97)

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7784-2018.

PART 2 – DEFINITIONS

In this Bylaw, the definitions and terms shall have the meanings given to them in the Land Use Bylaw C-4841-97 and the Municipal Government Act.

PART 3 – EFFECT OF BYLAW

THAT Part 5, Land Use Map No. 43 and No. 43-NW of Bylaw C-4841-97 be amended by redesignating Lot 1, Block 1, Plan 1110135 within NW-29-24-28-W04M from Ranch and Farm Three District to Business – Industrial Campus District and Agricultural Holdings District, as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Lot 1, Block 1, Plan 1110135 within NW-29-24-28-W04M is hereby redesignated to Business – Industrial Campus District and Agricultural Holdings District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7784-2018 comes into force when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the Municipal Government Act.

Division: 5

File: 04329188 – PL20170167

<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	day of	, 2018
READ A FIRST TIME IN COUNCIL this	day of	, 2018
READ A SECOND TIME IN COUNCIL this	day of	, 2018
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	day of	, 2018
READ A THIRD TIME IN COUNCIL this	day of	, 2018

Reeve

CAO or Designate

Date Bylaw Signed

BYLAW: C-7784-2018

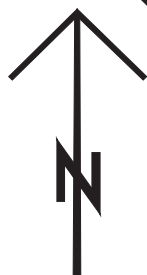


AMENDMENT

FROM Ranch and Farm Three District (RF-3) **TO** Business – Industrial Campus District (B-IC)

FROM Ranch and Farm Three District (RF-3) TO Agricultural Holdings District (AH)

Subject Land _____



LEGAL DESCRIPTION: Lot 1, Block 1, Plan 1110135
within NW-29-24-28-W04M

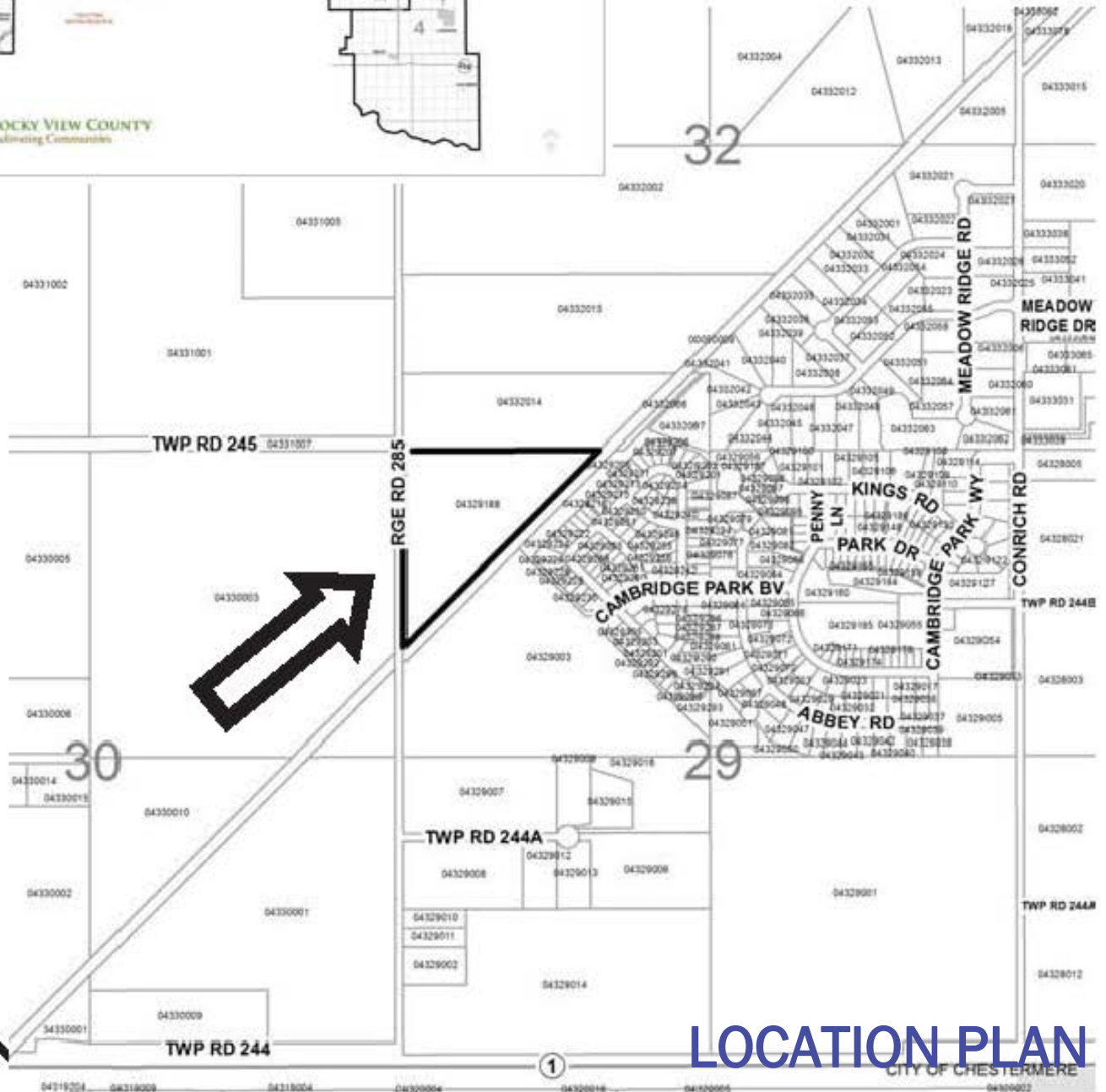
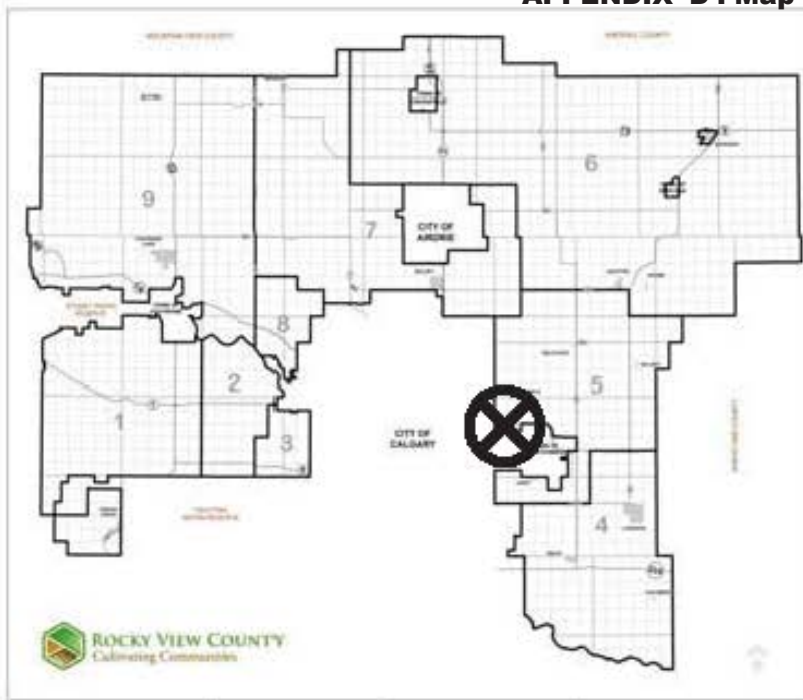
FILE: PL20170167 - 04329188

DIVISION: 5



ROCKY VIEW COUNTY
Cultivating Communities

AGENDA
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LOCATION PLAN

NW-29-24-28-W04M

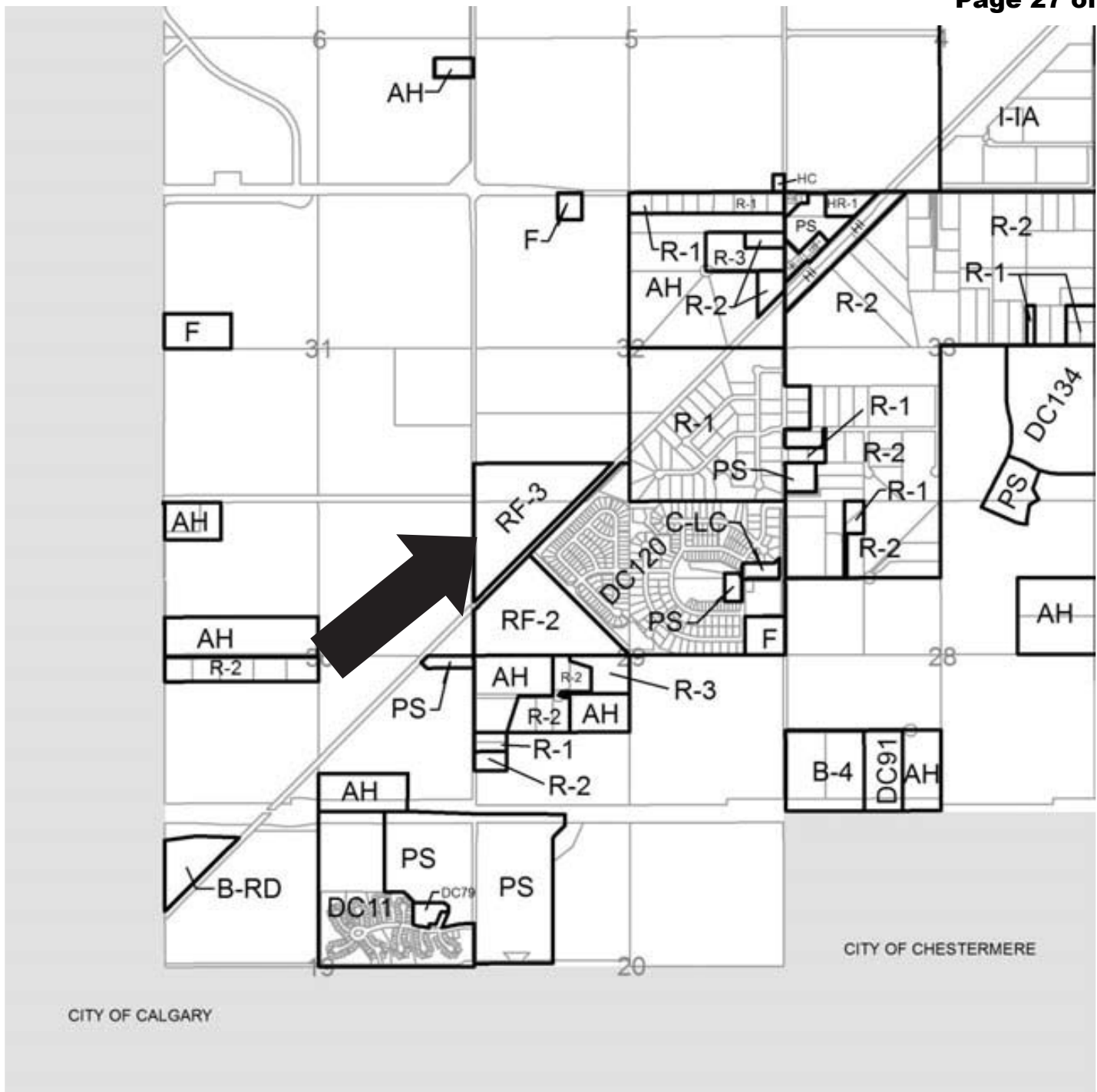
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

Division # 5

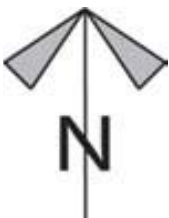
File: 04329188

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RF2	Ranch and Farm Two	B-1	Highway Business
RF3	Ranch and Farm Three	B-2	General Business
AH	Agricultural Holding	B-3	Limited Business
F	Farmstead	B-4	Recreation Business
R-1	Residential One	B-5	Agricultural Business
R-2	Residential Two	B-6	Local Business
R-3	Residential Three	NRI	Natural Resource Industrial
DC	Direct Control	HR-1	Hamlet Residential Single Family
PS	Public Service	HR-2	Hamlet Residential (2)
		HC	Hamlet Commercial
		AP	Airport

LAND USE MAP



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

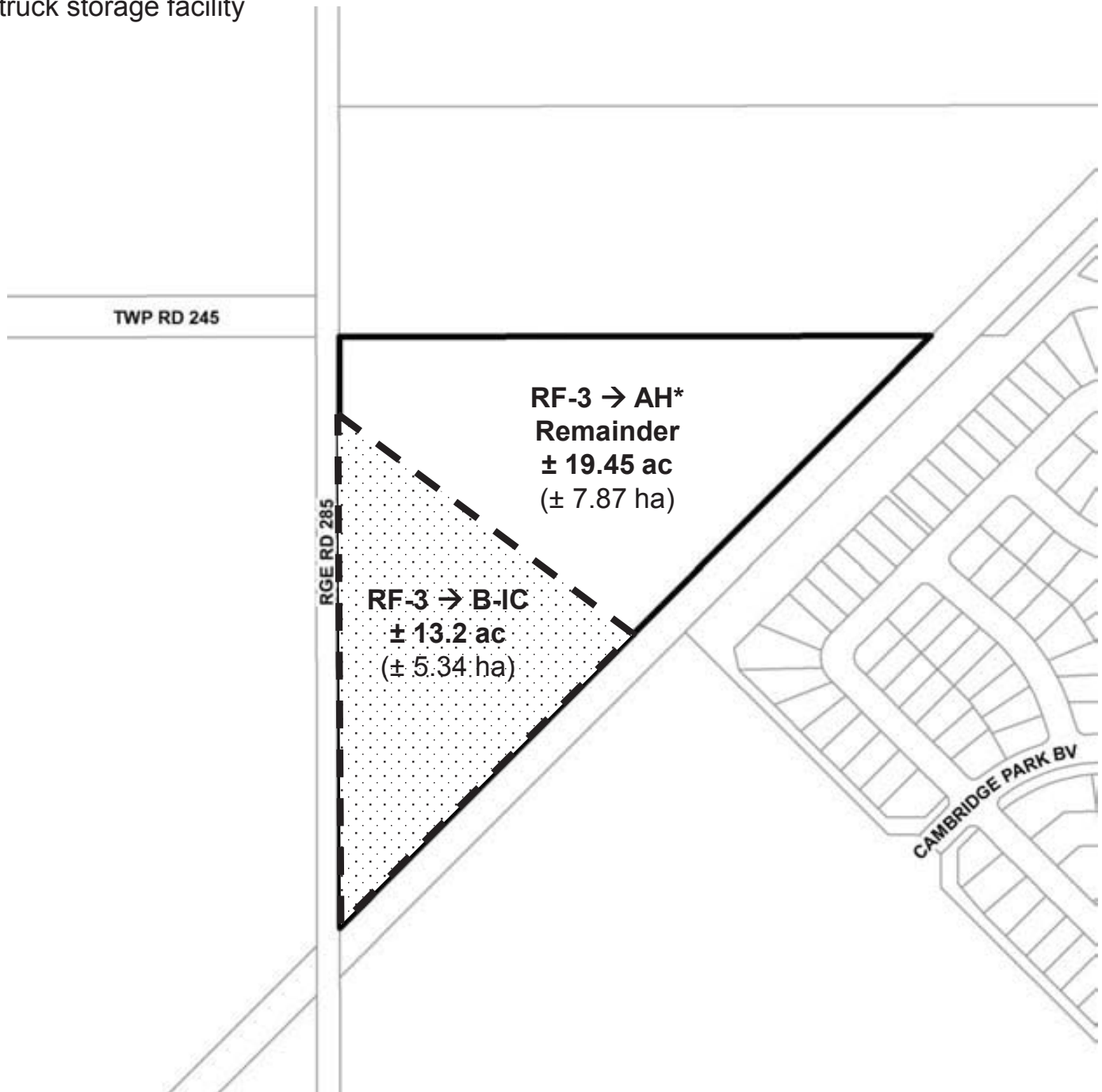
Date: Feb 5, 2018

Division # 5

File: 04329188

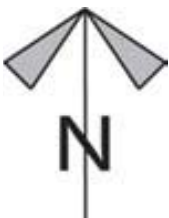
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Development Proposal: To redesignate ± 7.87 hectares (± 19.45 acres) c land from Ranch and Farm Three District to Agricultural Holding District, and to redesignate ± 5.34 hectares (± 13.2 acres) of the subject land from Ranch and Farm Three District to Business – Industrial Campus District to accommodate a proposed truck storage facility



***Note:** the proposed AH Remainder would be undersized. Minimum parcel size requirement: 8.10 ha (20.01 ac). Proposed AH Parcel: ± 7.87 ha (± 19.45 ac)

DEVELOPMENT PROPOSAL



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

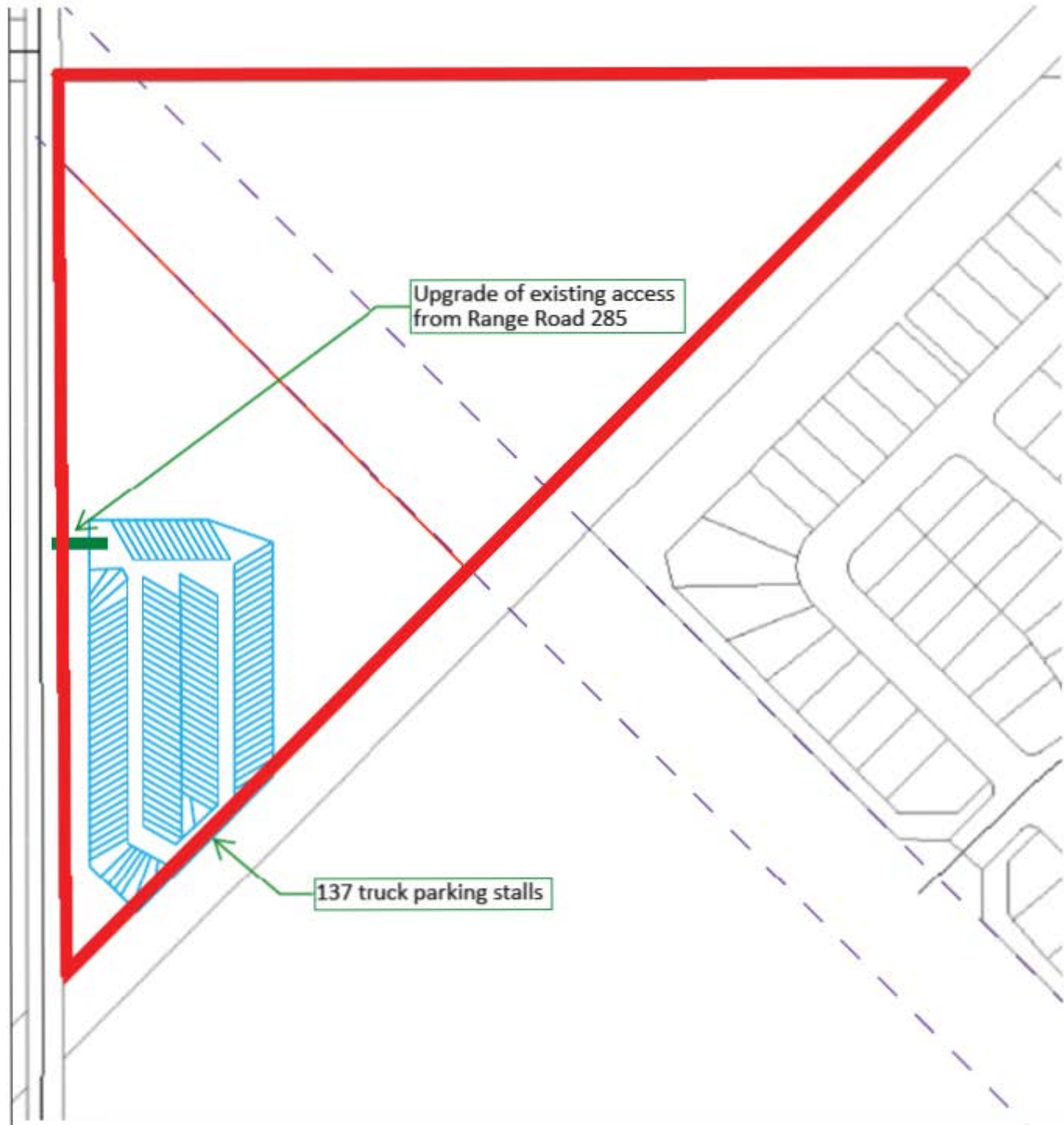
Date: Feb 5, 2018

Division # 5

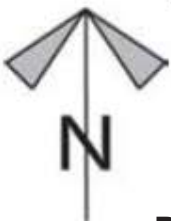
File: 04329188

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Development Proposal: To redesignate ± 7.87 hectares (± 19.45 acres) of land from Ranch and Farm Three District to Agricultural Holding District, and to redesignate ± 5.34 hectares (± 13.2 acres) of the subject land from Ranch and Farm Three District to Business – Industrial Campus District to accommodate a proposed truck storage facility



PROPOSED SITE PLAN



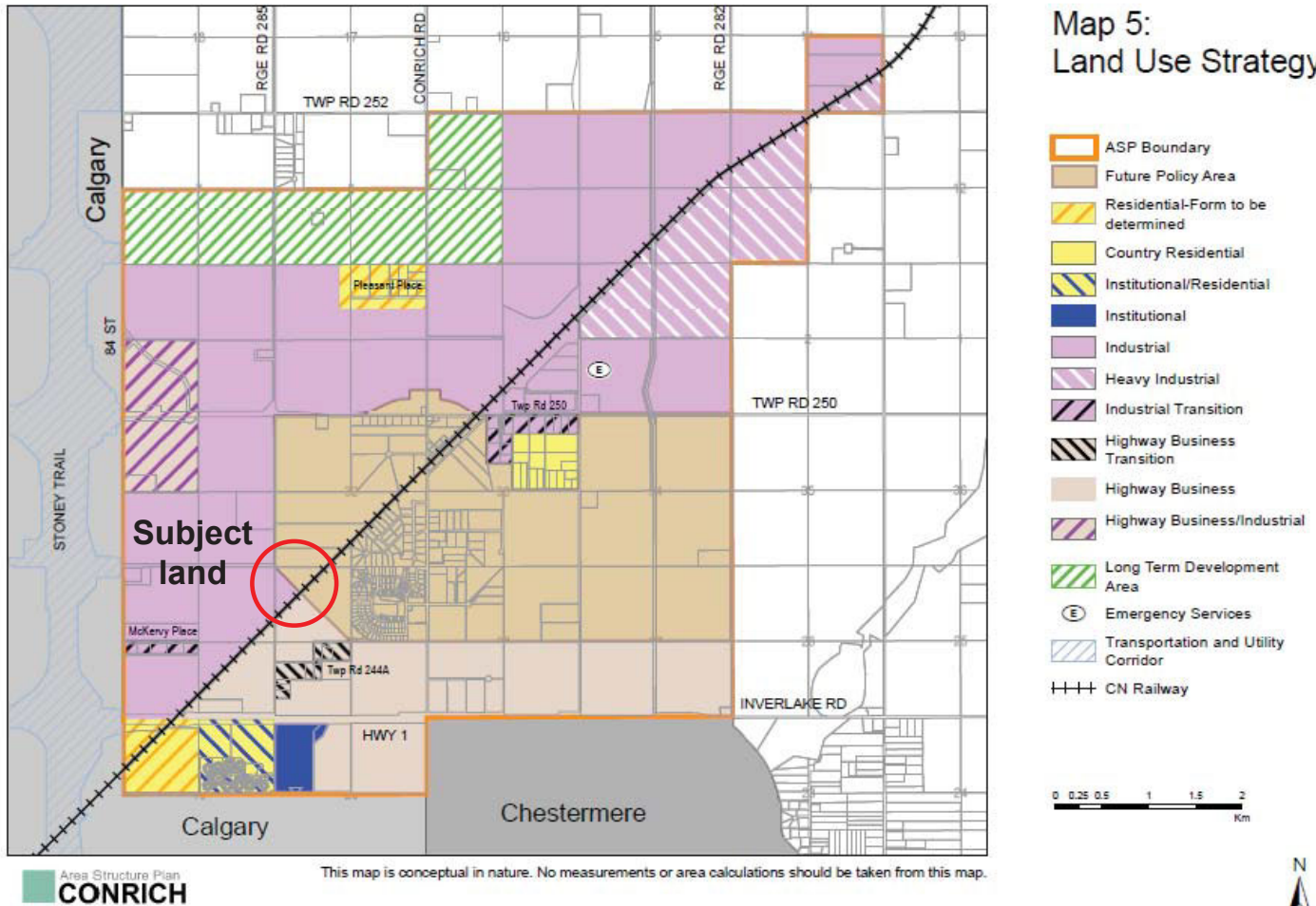
NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018
Oct 23, 2017

Division # 5

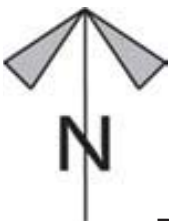
File: 04329188

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Map 5:
Land Use Strategy

- SW portion is identify as Industrial Use
- NE portion is identify as Future Policy Area

CONRICH ASP



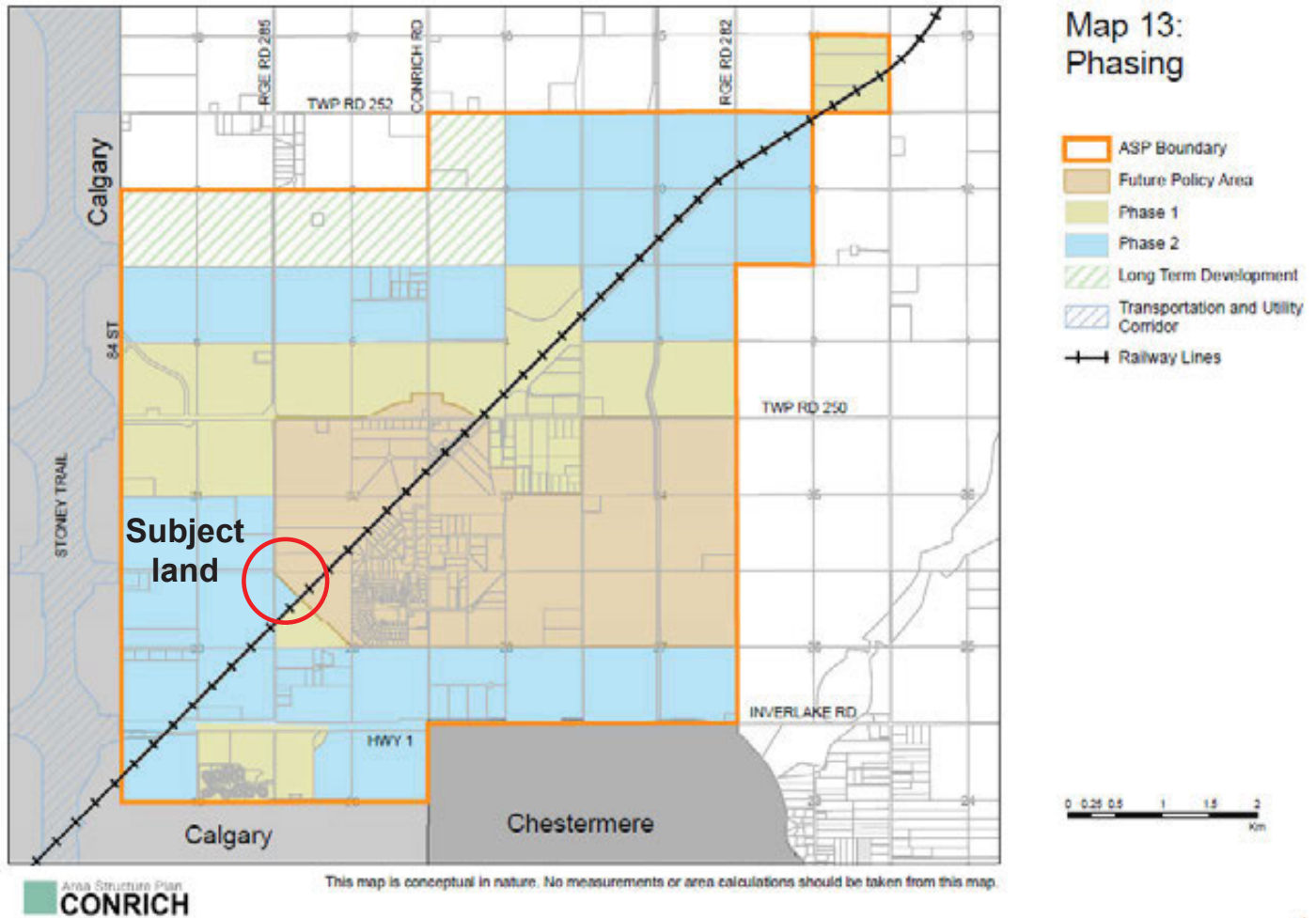
NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

Division # 5

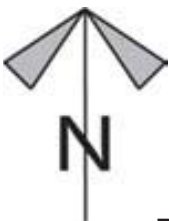
File: 04329188

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- SW portion is located in Phase 2
- NE portion is located in the Future Policy Area

CONRICH ASP PHASING



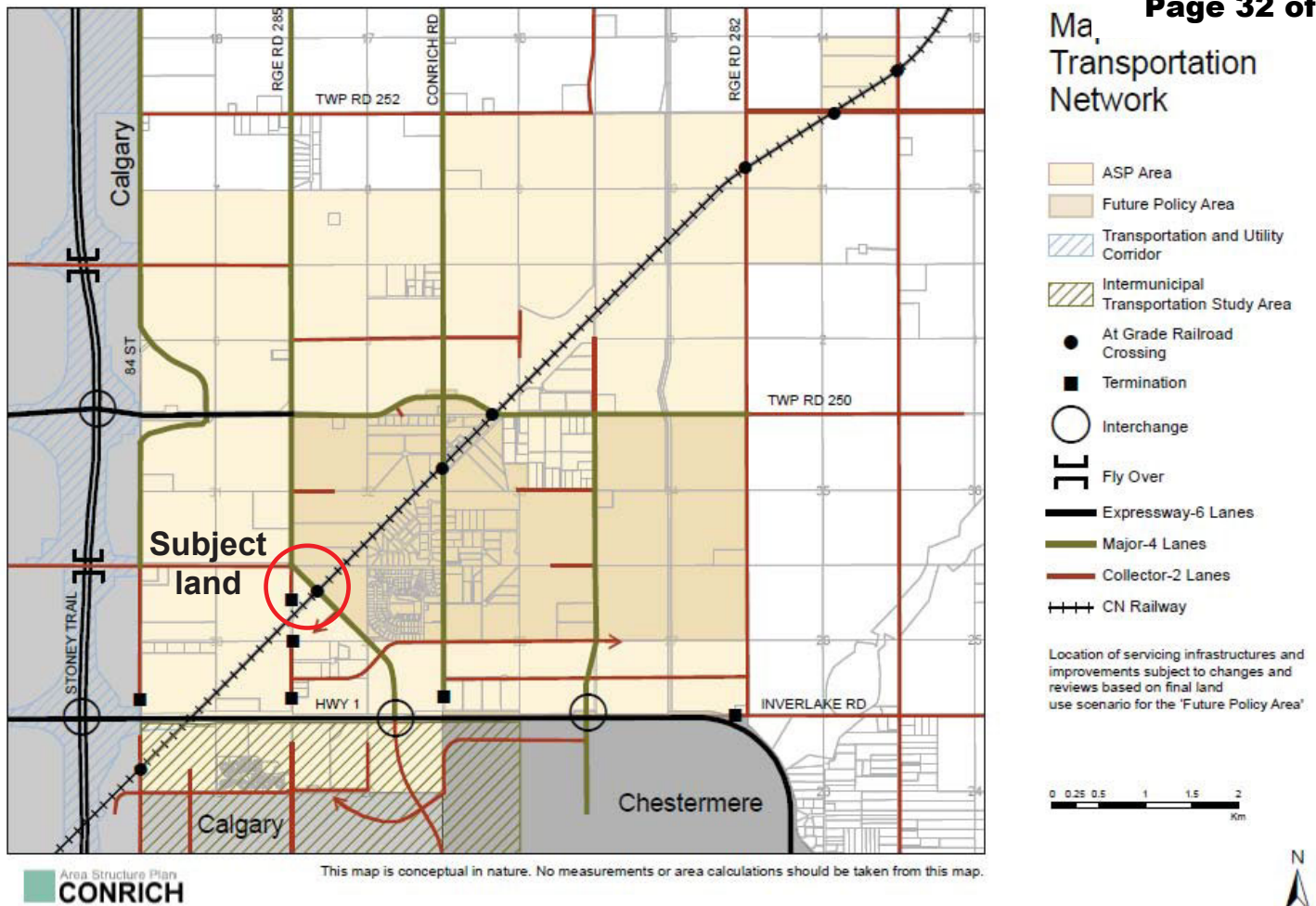
NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

Division # 5

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- A future Major Four-Lanes Road would bisect the subject land.
- Range Road 285 would be terminated just north of the railway.

CONRICH ASP TRANSPORTATION

NW-29-24-28-W04M

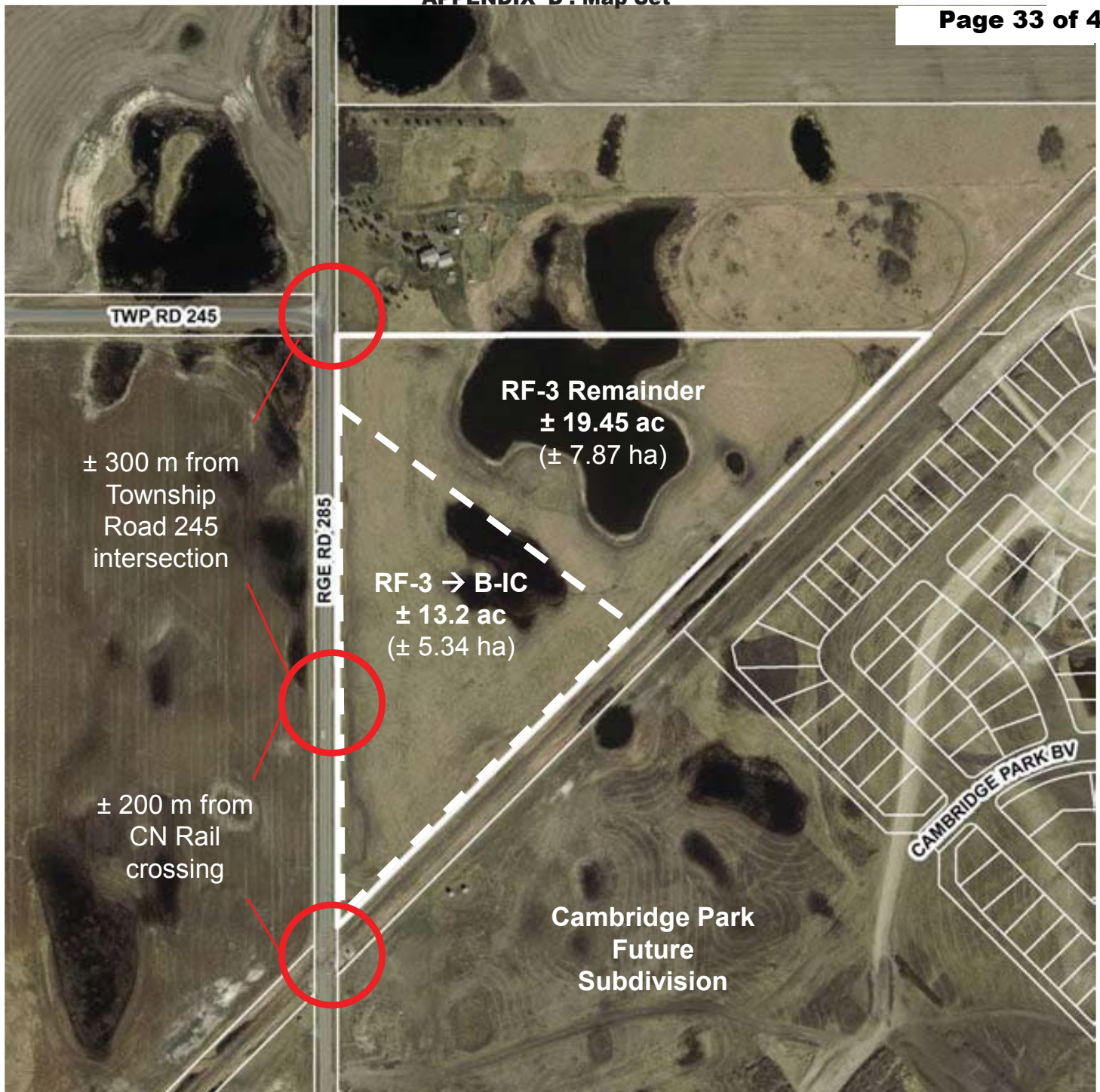
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

Division # 5

File: 04329188

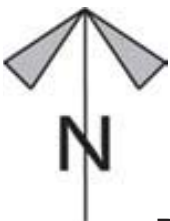
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Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO PROPOSED ACCESS

Spring 2016



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

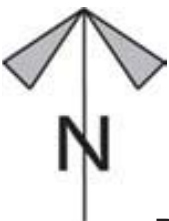
Division # 5

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SITE PHOTO



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

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Facing west – agricultural land, future industrial development

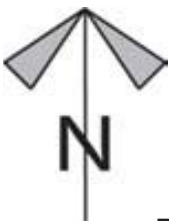


Landscaping
Berm

Existing
residences

Facing east Cambridge Park Residential Subdivision

SITE PHOTO



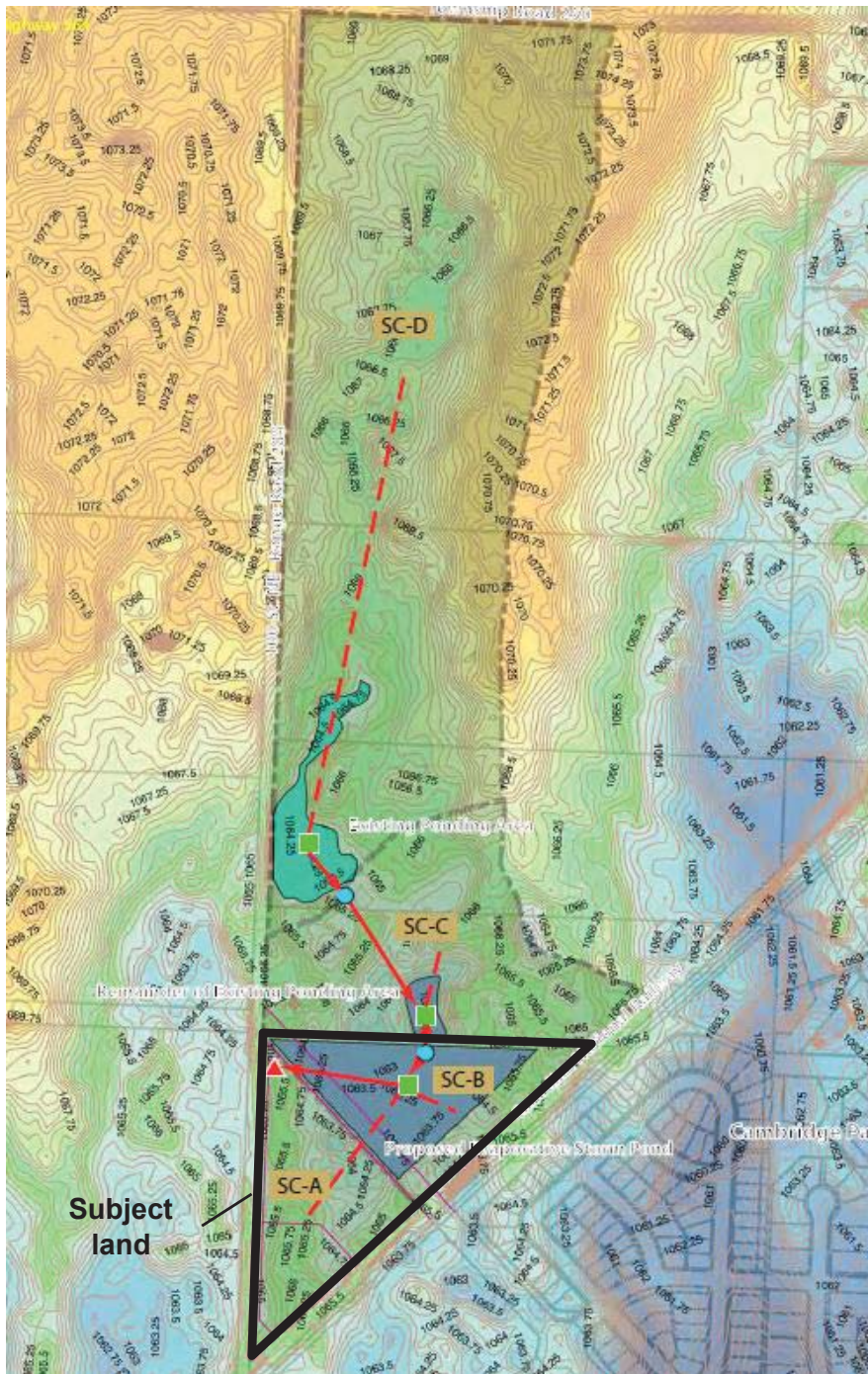
NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

Division # 5

File: 04329188

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Post Development

NW 29, Twp 24, Rge 28, W4M

Elevation Gradient



High

Low

LEGEND

- Catchment Outlet
- Storage Unit
- Junction
- Outlet/Pipe
- Pipe/Ditch
- Sub-Catchment Flow Connection

PROPOSED STORMWATER MANAGEMENT

NW-29-24-28-W04M

Lot:1 Block:1 Plan:1110135

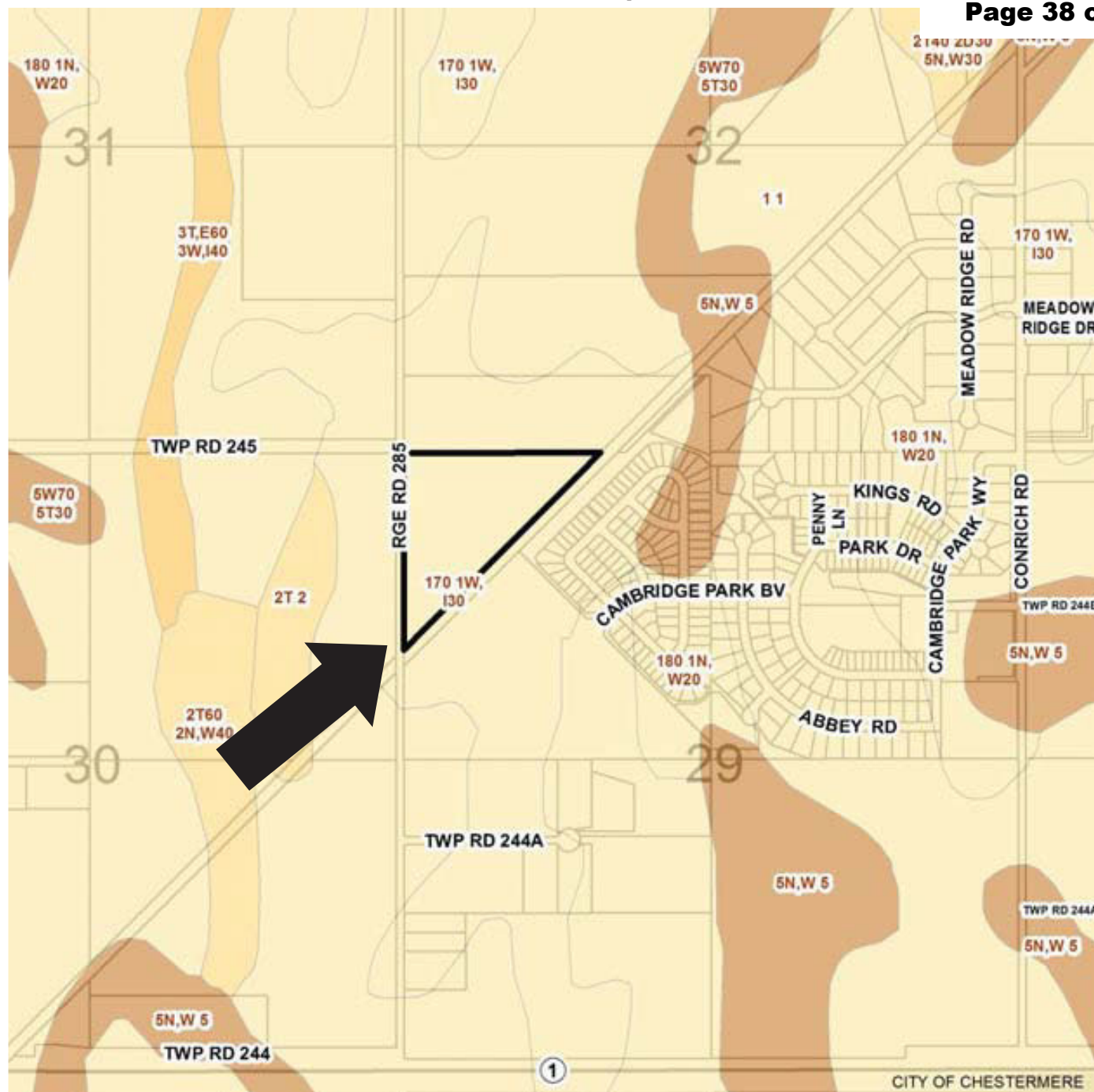
Date: Feb 5, 2018

Division # 5

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LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

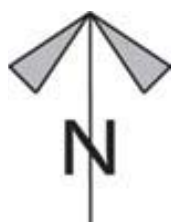
CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high sodicity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

SOIL MAP



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

Division # 5

File: 04329188

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**Legend – Plan numbers**

- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

HISTORIC SUBDIVISION MAP

NW-29-24-28-W04M

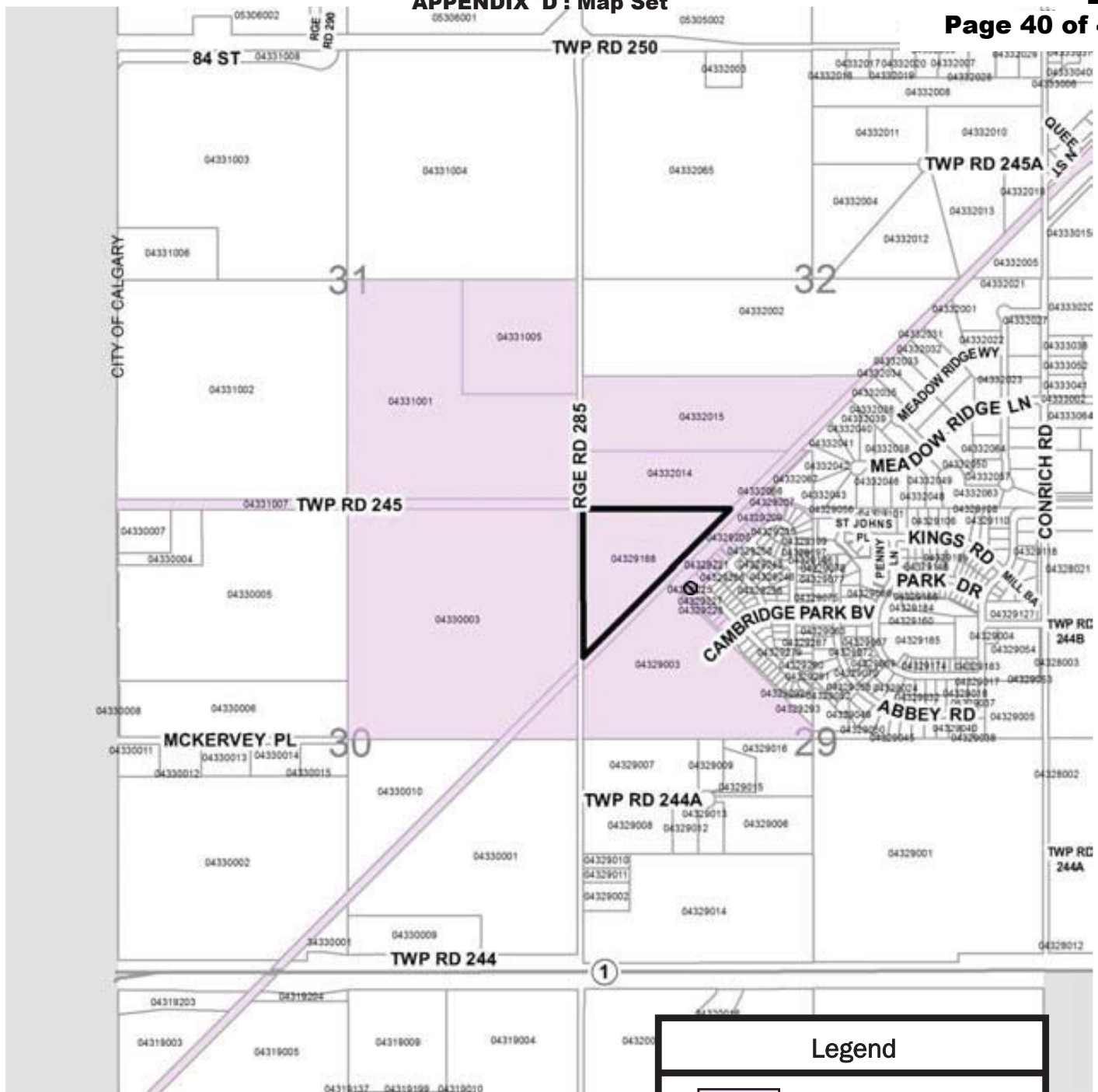
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

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Letters in Opposition

Letters in Support

Legend



Circulation Area

Subject Lands

LANDOWNER CIRCULATION AREA

NW-29-24-28-W04M

Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

Division # 5

File: 04329188

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From: Rajwinder Gill [REDACTED]
Sent: Thursday, October 18, 2018 4:56 PM
To: PAA_ LegislativeServices
Subject: Bylaw C-7784-2018 - OPPOSE

Hello,

I strongly **oppose** the Bylaw C-7784-2018 to use this land for Truck storage facility.

Reasons:

1. It is very close to residential area and will ruin the peace that residents are hoping for.
2. It will cause noise and air pollution.
3. we have small kids and wouldn't be ideal to have this storage facility so close to our home.

Name and property address:

Rajwinder Gill and Sukhdeep Gill

[REDACTED]
[REDACTED]
[REDACTED]

Please let us know if you need more information regarding this submission.

Thanks,

Sukhdeep Gill & Rajwinder Gill

ENGINEERING SERVICES

TO: Council

DATE: November 27th, 2018 **DIVISION:** 1

FILE: 1025-700 / 1007-100

SUBJECT: Transfer of Lands to Rocky View County and Designation of Public Utility Lot

¹POLICY DIRECTION:

Administration evaluated the proposed land transfer and Public Utility Lot designation for the Bragg Creek Flood Mitigation Project and determined that:

1. The application is consistent with the statutory policy;
2. The application is consistent with Sections 665 and 652 of the *Municipal Government Act*; and
3. The land acquisition and ownership transfer to the County is in accordance with Contribution Agreement sign with the Government of Alberta for the Bragg Creek Flood Mitigation Project.

EXECUTIVE SUMMARY:

In February 2017, Rocky View County (County) entered into a Contribution Agreement with the Government of Alberta to plan, design, and construct the Bragg Creek Flood Mitigation Project. The agreement included a budget of \$15.6 Million to acquire the lands required for construction of the proposed flood barrier structures. These lands are to be under the ownership of the County and designated as Public Utility Lot(s).

On advice from the project legal counsel, it is recommended that land transfers should be completed through a Bylaw. The Purchase Agreements signed with landowners are exclusive to this Bylaw, and therefore, it is recommended that all three readings are considered by Council in order to complete these land acquisitions.

BACKGROUND:

The 2013 Southern Alberta floods were the most costly disaster in Canadian history and Albertan's remain vulnerable to extreme flood. Flooding of the Elbow River caused widespread damage to municipal infrastructure, flood protection works, residences, public and private property, and businesses throughout the Bragg Creek area. This damage has further been associated with long-term business loss due to an interruption in services. Although 2013 flood was a particularly severe event, the Hamlet of Bragg Creek has been subject to regular flooding, with significant events recorded as early as 1915.

Subsequent to the 2013 flood, the Government of Alberta engaged the County to manage the planning, design, and construction of flood barrier structures for the Hamlet of Bragg Creek. The Province and the County signed a Contribution Agreement in February 2017 at which point the County began engaging area landowners to obtain design related input and to identify/address project related concerns.

In late October 2018, The County completed all outstanding regulatory requirements of the Water Act Application for full review by Alberta Environment and Parks. The outstanding items were statements of concern submitted in response to advertisement of the Public Notice and First Nation Consultation

¹**Administration Resources**
Doug Hafichuk, Engineering Services



with Treaty 7 Nations and Metis Nation Region 3. A decision of approval is expected in early December 2018.

In parallel to the Water Act and Indigenous Consultation, the County has continued to work with landowners to secure the lands required to build permanent flood barrier structures. On July 10th, 2018, Staff presented a report and Bylaw C-7803-2018 to Council and transferred one property and eight partial land takings to the County. This Bylaw will transfer an additional three partial land takings to the County.

To date, the County has acquired 65% of required lands. Out of 51 properties within the project area, 14 partial takings owned by 6 landowners are outstanding. It should be noted that the County is not purchasing all project lands; utility rights of way (easement) are being acquired in non-critical areas where the flood barrier structures are outside of the high velocity zones.

The County is legally empowered under the *Municipal Government Act* (R.S.A., 200, Chapter M-26) to create a Bylaw which designates land(s) under acquisition as a Public Utility Lot, and designating the subject lands as a PUL is a requirement of the Cost Contribution Agreement with the Province.

Therefore, and in conclusion, Administration is recommending that Council pass the proposed Bylaw (C-7843-2018) on the basis that:

1. The application is consistent with the statutory policy;
2. The application is consistent with Sections 665 and 652 of the *Municipal Government Act*;
3. The land acquisition and ownership transfer to the County is in accordance with Contribution Agreement sign with the Government of Alberta for the Bragg Creek Flood Mitigation Project.

OPTIONS:

- Option #1 Motion #1: THAT Bylaw C-7843-2018 be given first reading.
 Motion #2: THAT Bylaw C-7843-2018 be given second reading.
 Motion #3: THAT Bylaw C-7843-2018 be considered for third reading.
 Motion #4: THAT Bylaw C-7843-2018 be given third and final reading.

Option #2 THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Byron Riemann”

“Rick McDonald ”

Executive Director of Operations

Interim County Manager

RO/DH

ATTACHMENTS:

ATTACHMENT ‘A’ – Bylaw C-7843-2018



BYLAW C-7843-2018

A Bylaw of Rocky View County, in the Province of Alberta, to transfer specific lands acquired for the Bragg Creek Flood Mitigation Project to the County, and designate said lands as a Public Utility Lot.

WHEREAS pursuant to section 652(2)(f) of the *Municipal Government Act*, R.S.A., 2000, Chapter M-26, as amended from time to time, a municipal council may by bylaw create a parcel of land;

AND WHEREAS pursuant to section 665 of the *Municipal Government Act*, R.S.A., 2000, Chapter M-26, as amended from time to time, a municipal council may by bylaw require that part of a parcel of land that it is in the process of acquiring be designated as public utility lot;

NOW THEREFORE, the Council of Rocky View County, duly assembled, enacts as follows:

Short Title

- 1 The short title of this Bylaw is "*Bragg Creek Flood Mitigation Project Transfer of Lands and Designation of Public Utility Lot.*"

Definitions

- 2 In this Bylaw, unless the context otherwise requires, the definitions and terms shall have the meaning given to them in the Land Use Bylaw C-4841-97, as well as the following:
 - (a) "**County**" means Rocky View County or, where the context permits, the geographical area thereof;
 - (b) "***Municipal Government Act***" means the *Municipal Government Act*, RSA 2000, c M-26, as amended; and
 - (c) "**Rocky View County**" means Rocky View County as a municipal corporation established pursuant to the laws of the Province of Alberta and the area within the jurisdictional boundaries of Rocky View County, as the context of this Bylaw so requires.

Terms and Rates

- 3 In accordance with sections 652(2)(f) and 665 of the *Municipal Government Act*, all those portions of lands legally described within **Schedule "A"** attached to this Bylaw and contained within:

Lots 2 PUL and 3 PUL, Block 1, Filed Plan 181 2035
shown within **Schedule "B"** attached to and forming part of this Bylaw;

And



ROCKY VIEW COUNTY
Cultivating Communities

Lot 3 PUL, Block 10, Filed Plan 181 2034

shown within **Schedule "C"** attached to and forming part of this Bylaw;

is hereby designated as a Public Utility Lot.

Transitional

- 4 Bylaw C-7843-2018 comes into force and effect when it receives third reading, and is signed by the Reeve or Deputy Reeve and the Chief Administrative Officer or designate.

READ A FIRST TIME IN COUNCIL this _____ day of _____, 2018

READ A SECOND TIME IN COUNCIL this _____ day of _____, 2018

UNANIMOUS PERMISSION FOR THIRD READING _____ day of _____, 2018

READ A THIRD TIME IN COUNCIL this _____ day of _____, 2018

Reeve or Deputy Reeve

CAO or Designate

Date Bylaw Signed

**SCHEDULE "A"****The Lands**

LEGAL DESCRIPTION	AREA
PLAN 1741EW BLOCK 7 LOT 3 EXCEPTING THEREOUT ALL MINES AND MINERALS	0.023 Hectares
PLAN 8711640 BLOCK XX EXCEPTING THEREOUT ALL MINES AND MINERALS	0.581 Hectares
PLAN 8556CI BLOCK Y EXCEPTING THEREOUT ALL MINES AND MINERALS	0.523 Hectares



SCHEDULE "B"

Filed Plan 181 2035

Evidence Found			
Point Number	Northing	Easting	Description
4113	5645746.937	-40392.813	Fd. I. c.s. 0.1 (in gravel road)
4300	5645870.080	-40255.963	Fd. I.
4301	5645994.808	-40293.221	Fd. I. c.s.
4302	5645726.475	-40340.249	Fd. I.
4303	5645716.311	-40294.937	Fd. I.
4305	5645808.484	-40339.744	Fd. I. c.s. 0.1
4307	5645723.770	-40256.864	Fd. I.
1628602	5645736.642	-40385.577	Fd. I. c.s. 0.4 RP

Reference Monuments			
Point Number	Northing	Easting	Description
6318	5645924.906	-40187.529	Pl. 1.2 x 0.01 rebar with aluminum cap
6319	5645729.244	-40370.213	Pl. Conc. Nail (in sidewalk)
6320	5645703.956	-40292.926	Pl. Conc. Nail (in road shoulder)
1623501	5643189.463	-40385.613	Fd. ASCM 291070 Mp. 1.0 S.
1623502	5646166.141	-41638.336	Fd. ASCM 630327 Mp. 1.1 N.

Evidence Placed			
Point Number	Northing	Easting	Description
4308	5646003.017	-40255.144	Pl. I.

Tables of Coordinates			
Curve Information			
Point Number	Northing	Easting	Description
4315	5645775.479	-40267.344	cc R = 96.00
4316	5645698.164	-40233.602	cc R = 180.00
4317	5645767.589	-40355.384	cc R = 55.00

Evidence to be placed pursuant to Section 47 of the Surveys Act			
Point Number	Northing	Easting	Description
100	5645773.902	-40411.764	Pl. I.
101	5645785.997	-40407.197	Pl. I. B.C.
102	5645813.619	-40385.461	Pl. I. E.C.
103	5645843.639	-40339.527	Pl. I. B.C.
104	5645867.677	-40294.005	Pl. I. P.C.C.
105	5645870.777	-40255.959	Pl. I. E.C.
4114	5645821.803	-40445.429	Fd. No Mk. Re-est. Pl. I.
4306	5645955.203	-40338.640	Fd. No Mk. Re-est. Pl. I.
4304	5645861.487	-40294.043	Fd. No Mk. Re-est. Pl. I.

Elbow River Bank Coordinates			
as surveyed by Nathan Kroeker, ALS on November 16, 2016			
Point Number	Northing	Easting	Description
247	5645956.5	-40353.6	Right Bank of Elbow River
248	5645960.4	-40346.9	Right Bank of Elbow River
249	5645964.0	-40344.7	Right Bank of Elbow River
250	5645968.6	-40336.5	Right Bank of Elbow River
251	5645975.8	-40329.8	Right Bank of Elbow River
252	5645977.8	-40325.1	Right Bank of Elbow River
254	5645984.1	-40317.1	Right Bank of Elbow River
255	5645989.9	-40309.7	Right Bank of Elbow River
256	5645998.0	-40298.8	Right Bank of Elbow River
257	5646001.8	-40291.2	Right Bank of Elbow River
258	5646002.0	-40289.6	Right Bank of Elbow River
259	5646007.3	-40278.9	Right Bank of Elbow River
260	5646010.3	-40267.2	Right Bank of Elbow River
261	5646012.8	-40257.0	Right Bank of Elbow River
262	5646013.9	-40247.9	Right Bank of Elbow River
263	5646016.7	-40236.1	Right Bank of Elbow River

Note: Due to avulsion on the bank along Block X, Subdivision Plan 871 1640 the bank of the Elbow River was determined by aerial photo up to point 247. From point 247 continuing down stream the bank was determined by a survey conducted on November 16, 2016.

CERTIFICATE: SECTION 47, SURVEYS ACT
REGISTERED ON _____

AS NUMBER _____

Certifying that all Statutory Monuments were placed in the ground between the dates of _____ and _____ and are positioned in accordance with co-ordinates shown on the plan or on the attached plan instrument except for the following:

REGISTRAR

REGISTRAR
SOUTH ALBERTA LAND REGISTRATION DISTRICT

PLAN No. **181 2035**

ENTERED AND REGISTERED
ON **October 24, 2018**

INSTRUMENT No. **181 228 494**

Dwaine MacNeill
A.D. REGISTRAR

Rocky View County Filed Plan Showing Area Required for PUL Designation

Affecting
Block Y, Subdivision Plan 8556 CI,
Blocks X & XX, Subdivision Plan 871 1640, and
Former Bed and Shore of the Elbow River

Within
N.W. 1/4 Sec. 12
Twp. 23 - Rge. 5 - W. 5th Mer.
2016 - 2018

Scale: 1:1000
0 25 50 75 100 Metres

Legend

Statutory iron posts found are shown thus
Statutory iron posts placed and marked P185 are shown thus
Areas to be dealt with by this plan are outlined in black, shown thus
ASCM denotes Alberta Survey Control Marker shown thus
Reference control monuments placed are shown thus
Positions where iron posts marked P185 are to be placed pursuant to Section 47 of the Surveys Act are shown thus and a table of coordinates is included on this plan
Positions where iron posts are to be placed in accordance with Subdivision Plan 871 1640 are shown thus
Geo-referenced location shown thus
All distances are at ground level and shown in metres and decimals thereof.
Mp. denotes marker post with plaque placed or found as shown.

Geo-reference Data

Datum: NAD83 (original), 3TM.
Bearings are grid and are derived from GNSS observations on ASCM 630327.
The geo-referenced point is the S.W. corner of Block X, Subdivision Plan 871 1640 : 5645736.642 N., -40385.577 E.
Reference meridian is 114° West longitude.
Combined Scale factor is 0.999741.

Abbreviations

Δ	denotes delta angle.	MR	denotes municipal reserve.
3TM	denotes 3° Transverse Mercator.	N.	denotes north.
B.C.	denotes beginning of curve.	NAD83	denotes North American Datum, 1983.
cc	denotes center of curve.	P.C.C.	denotes point of change of curvature.
Conc.	denotes concrete.	Pl.	denotes placed.
c.s.	denotes countersunk.	PUL	denotes public utility lot.
E.	denotes east.	R.	denotes radius.
E.C.	denotes end of curve.	Re-est.	denotes re-established.
Fd.	denotes found.	Rge.	denotes range.
GNSS	denotes Global Navigation Satellite Systems.	RP	denotes reference point.
ha	denotes hectare(s).	S.	denotes south.
i.	denotes iron post.	Sec.	denotes section.
Mer.	denotes meridian.	Twp.	denotes township.
Mk.	denotes mark.	W.	denotes west.

Table of Areas

Area Required within Subdivision Plan 8556 CI:	
From:	For:
Former Bed and Shore of the Elbow River	Lot 3 PUL, Block 1 = 0.420 ha
Block Y	Lot 3 PUL, Block 1 = 0.103 ha
	0.523 ha

Area Required within Subdivision Plan 871 1640:	
From:	For:
Former Bed and Shore of the Elbow River	Lot 1 PUL, Block 1 = 0.012 ha
Block X	Lot 1 PUL, Block 1 = 1.058 ha
	1.070 ha
Former Bed and Shore of the Elbow River	Lot 2 PUL, Block 1 = 0.003 ha
Block XX	Lot 2 PUL, Block 1 = 0.578 ha
	0.581 ha

Surveyor

Nathan Kroeker, ALS

Dates of Survey: August 22, 2016 to March 13, 2018.
In accordance with the provisions of the Surveys Act.

Prepared For
Rocky View County

Wood Geomatics Limited

#401, 1925 - 18th Avenue N.E. Calgary, Alberta, T2E 7T8
Tel. (403) 248 4331

Initials: NK, TM

Date: October 15, 2018

Project No: CT160213

Drawing File Name:
CL160028.WHT.PUL



SCHEDULE "C"

Filed Plan 181 2034

SEE RESERVE DESIGNATION
BYLAW REGISTERED AS 181229284, 181229144 & 181229385

A.D. REGISTRAR
D. MACNEILL

REGISTRAR
SOUTH ALBERTA LAND REGISTRATION DISTRICT

PLAN No. **181 2034**

ENTERED AND REGISTERED
ON **October 24, 2018**

INSTRUMENT No. **181 228 493**

D. MacNeill
A.D. REGISTRAR

CERTIFICATE: SECTION 47, SURVEYS ACT
REGISTERED ON
AS NUMBER
Certifying that all Statutory Monuments were placed in the ground between the dates of _____ and _____ and are positioned in accordance with co-ordinates shown on the plan or on the attached plan instrument except for the following:

REGISTRAR

Rocky View County

Filed Plan Showing Area Required for
PUL Designation

Affecting
Lots 1 through 4, Block 6, Subdivision Plan 1741 EW,
Lots 1 through 5, Block 7, Subdivision Plan 1741 EW,
Lot 1, Block 8, Subdivision Plan 1741 EW, and
Former Bed and Shore of the Elbow River

Within
S.E. 1/4 Sec. 13
Twp. 23 - Rge. 5 - W. 5th Mer.

2016 - 2018

Scale 1:1000 0 25 50 75 100 Metres

Table of Areas
Area Required within Subdivision Plan 1741 EW:

From:	For:
Former Bed and Shore of the Elbow River Lot 1, Block 6	Lot 1 PUL, Block 9 = 0.0001 ha Lot 1 PUL, Block 9 = 0.058 ha Total = 0.058 ha
Former Bed and Shore of the Elbow River Lot 2, Block 6	Lot 2 PUL, Block 9 = 0.006 ha Lot 2 PUL, Block 9 = 0.032 ha Total = 0.037 ha
Former Bed and Shore of the Elbow River Lot 3, Block 6	Lot 3 PUL, Block 9 = 0.012 ha Lot 3 PUL, Block 9 = 0.020 ha Total = 0.031 ha
Former Bed and Shore of the Elbow River Lot 4, Block 6	Lot 4 PUL, Block 9 = 0.018 ha Lot 4 PUL, Block 9 = 0.017 ha Total = 0.035 ha
Former Bed and Shore of the Elbow River Lot 1, Block 7	Lot 1 PUL, Block 10 = 0.016 ha Lot 1 PUL, Block 10 = 0.008 ha Total = 0.024 ha
Former Bed and Shore of the Elbow River Lot 2, Block 7	Lot 2 PUL, Block 10 = 0.016 ha Lot 2 PUL, Block 10 = 0.010 ha Total = 0.026 ha
Former Bed and Shore of the Elbow River Lot 3, Block 7	Lot 3 PUL, Block 10 = 0.014 ha Lot 3 PUL, Block 10 = 0.008 ha Total = 0.022 ha
Former Bed and Shore of the Elbow River Lot 4, Block 7	Lot 4 PUL, Block 10 = 0.015 ha Lot 4 PUL, Block 10 = 0.021 ha Total = 0.036 ha
Former Bed and Shore of the Elbow River Lot 1, Block 8 (C. of T. 911 114 097)	Lot 1 PUL, Block 11 = 0.010 ha Lot 1 PUL, Block 11 = 0.016 ha Total = 0.026 ha
Former Bed and Shore of the Elbow River Lot 1, Block 8 (C. of T. 911 114 097+1)	Lot 1 PUL, Block 11 = 0.008 ha Lot 1 PUL, Block 11 = 0.016 ha Total = 0.024 ha

Legend

Statutory iron posts found are shown thus
Concrete nail placed are shown thus
Areas to be dealt with by this plan are outlined in black; shown thus
Iron Bars found are shown thus
Reference control monuments placed are shown thus
Positions where iron posts marked P185 are to be placed pursuant to Section 47 of the Surveys Act are shown thus and a table of coordinates is included on this plan
Positions where iron posts are to be placed in accordance with Subdivision Plan 1741 EW are shown thus
Geo-referenced location shown thus
All distances are at ground level and shown in meters and decimals thereof.
M.p. denotes marker post with plaque placed or found as shown.
Bent denotes monument found bent and restored unless otherwise noted.

Geo-reference Data

Datum: NAD83 (original), STM.
Bearings are grid and are derived from GNSS observations on ASCM 830327.
The geo-referenced point is W. 1/4 Sec. 18-23-4-5: 5646974.353 N, -39329.512 E.
Reference meridian is 114° West longitude.
Combined Scale factor is 0.999741.

Abbreviations

Δ	denotes delta angle.	N.	denotes north.
3TM	denotes 3° Transverse Mercator.	NAD83	denotes North American Datum, 1983.
B.C.	denotes beginning of curve.	RA	denotes radius.
C. of T.	denotes certificate of title.	Pos.	denotes position.
Conc.	denotes concrete.	PUL	denotes public utility lot.
c.s.	denotes countersunk.	R.	denotes radius.
E.	denotes east.	Re-est.	denotes re-established.
Est.	denotes established.	Rge.	denotes range.
E.C.	denotes end of curve.	RP	denotes reference point.
ha	denotes hectares.	R/W	denotes right of way.
GNSS	denotes Global Navigation Satellite System.	S.	denotes south.
ha	denotes hectares.	Sec.	denotes section.
Mer.	denotes meridian.	Twp.	denotes township.
Md.	denotes marked.	W.	denotes west.
		P.	denotes standard Canada Land Survey post (Brass or Metal).

Surveyor

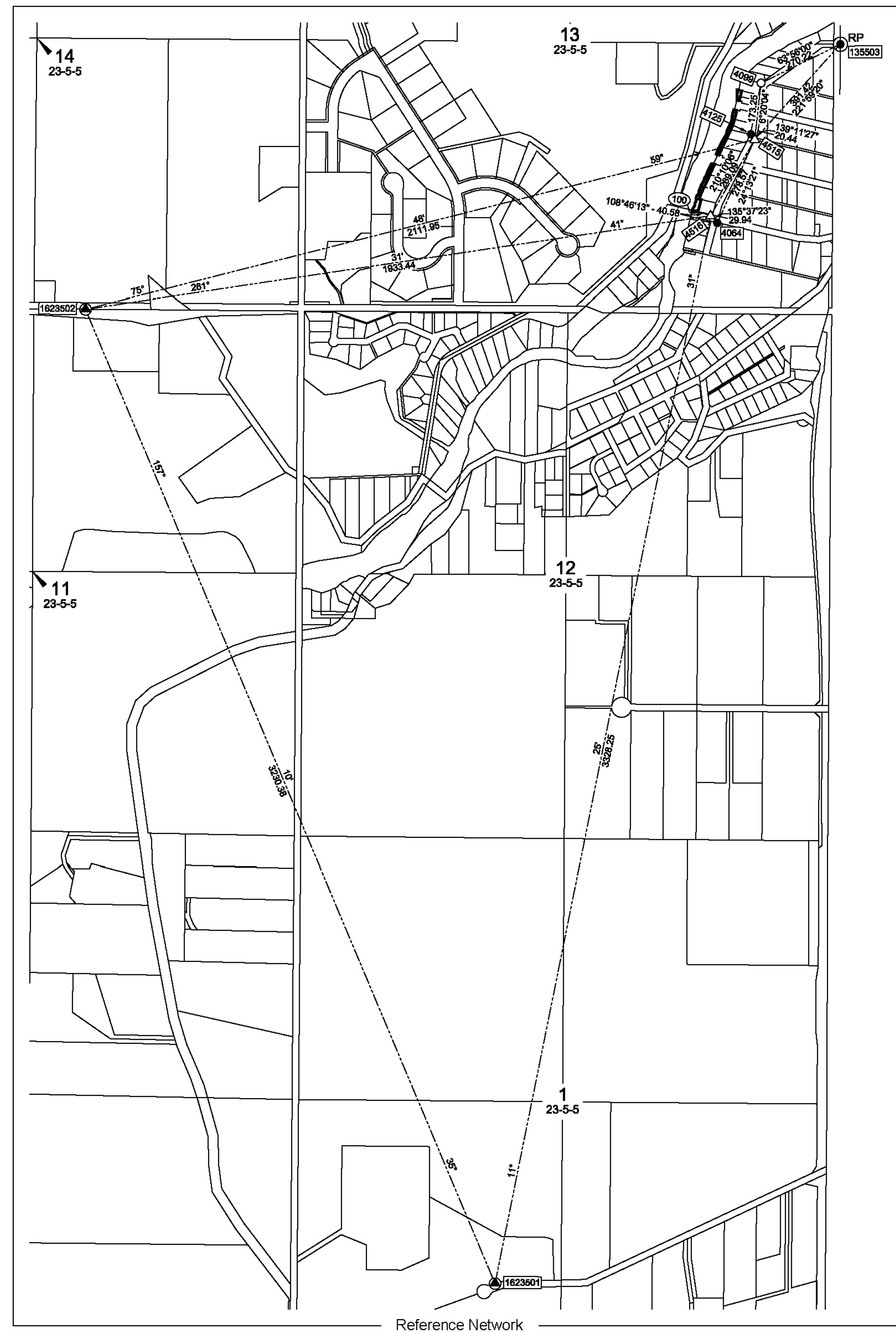
Nathan Kroeker, A.L.S.

Dates of Survey: August 22, 2016 to January 25, 2018.
In accordance with the provisions of the Surveys Act.

Prepared For

Rocky View County

Wood Geomatics Limited #401, 1625 - 18th Avenue N.E. Calgary, Alberta, T2E 7T8 Tel. (403) 248-6331		Drawing File Name: CL180028.RDN.PUL
Initials: NK/TM	Date: October 15, 2018	Project No: CT180213



Point Number	Northing	Easting	Description
4515	5646683.498	-39591.296	PI. 0.9 x 0.01 rebar with aluminum cap.
4516	5646520.915	-39726.491	PI. 0.9 x 0.01 rebar with aluminum cap.
132563 (RP)	5646974.353	-39329.512	W. 1/4 18 Fd. P.
1623501	5643189.463	-40385.613	Fd. ASCM 291070 Mp. 1.0 S. (markings illegible)
1623502	5646166.141	-41636.336	Fd. ASCM 630327 Mp. 1.1 N. Mkd. '1991'

Point Number	Northing	Easting	Description
4000	5646431.144	-39725.922	Fd. I. R1 Mp. 0.3 W. (markings illegible)
4001	5646439.759	-39783.556	Fd. I. R2 Mp. 0.3 W.
4084	5646429.521	-39705.557	Fd. I. Mp. 0.25 W.
4087	5646467.428	-39779.781	Fd. I.
4088	5646503.986	-39769.930	Fd. I.
4083	5646620.768	-39710.585	Fd. I. c.s. 1.1
4125	5646696.965	-39694.651	Fd. I.
1630101	5646700.080	-39271.449	Fd. I.
1630103	5646803.196	-39645.233	Fd. I. Bar
1630106	5646490.154	-39710.501	Fd. I.
1630201	5646712.474	-39663.882	Fd. I.
1630801	5646843.764	-39554.109	Fd. I. (bent) Mkd. 'BK IV - IV'

Point Number	Northing	Easting	Description
4073	5646731.798	-39597.848	Est. Pos. PI. I.
4076	5646734.329	-39598.963	Fd. I. Bar (removed) PI. I.
4077	5646754.542	-39630.944	Fd. I. Bar (bent) (Removed) PI. I. (bottom 0.3 cutoff)
4080	5646563.004	-39673.572	Est. Pos. PI. I. c.s. 0.1
4081	5646593.973	-39684.832	Fd. No Mkr. Re-est. PI. I. c.s. 0.1
4089	5646618.446	-39645.468	Fd. No Mkr. Re-est. PI. I.
4084	5646609.156	-39694.413	Fd. No Mkr. Re-est. PI. I. c.s. 0.1
4085	5646604.124	-39695.640	Fd. No Mkr. Re-est. PI. I. c.s. 0.1
4088	5646618.877	-39673.806	Est. Pos. PI. I.
4089	5646855.643	-39572.186	Fd. No Mkr. Re-est. PI. I.
4138	5646802.078	-39593.286	Est. Pos. PI. Conc. Nail

Tables of Coordinates
Section 47 of the Surveys Act

Point Number	Northing	Easting	Description
100	5646463.970	-39764.905	PI. I.
101	5646500.592	-39750.346	PI. I.
102	5646502.080	-39761.783	PI. I.
103	5646537.508	-39747.309	PI. I.
104	5646539.240	-39746.452	PI. I.
105	5646535.054	-39745.695	PI. I.
106	5646575.734	-39728.386	PI. I.
107	5646575.919	-39729.183	PI. I.
108	5646606.335	-39713.877	PI. I.
109	5646636.547	-39700.573	PI. I.
110	5646656.129	-39689.917	PI. I.
111	5646686.501	-39677.000	PI. I.
112	5646712.834	-39664.574	PI. I.
113	5646717.860	-39662.072	PI. I.
114	5646744.608	-39654.200	PI. I.
115	5646744.616	-39653.065	PI. I.
116	5646772.139	-39640.162	PI. I.
117	5646801.690	-39638.746	PI. I.
118	5646831.923	-39631.184	PI. I.
4023	5646434.096	-39725.162	Fd. No Mkr. Re-est. PI. I.
4070	5646764.630	-39591.045	Fd. No Mkr. Re-est. PI. I.
4071	5646713.351	-39651.362	Fd. No Mkr. Re-est. PI. I.
4072	5646745.555	-39657.108	Est. Pos. PI. I.
4074	5646774.969	-39635.569	Fd. No Mkr. Re-est. PI. I.
4075	5646784.329	-39636.637	Fd. I. Bar (removed) PI. I.
4078	5646799.605	-39629.769	Fd. No Mkr. Re-est. PI. I.
4079	5646826.579	-39602.036	Est. Pos. PI. I.
4084	5646831.961	-39604.899	Fd. No Mkr. Re-est. PI. I.
4085	5646540.388	-39751.432	Est. Pos. PI. I.
4086	5646576.790	-39732.934	Est. Pos. PI. I.
4087	5646606.961	-39716.573	Fd. No Mkr. Re-est. PI. I.
4088	5646636.961	-39702.357	Fd. No Mkr. Re-est. PI. I.
4091	5646672.814	-39617.908	Est. Pos. PI. I.
4090	5646845.630	-39631.088	Est. Pos. PI. I.
4092	5646695.373	-39664.966	Est. Pos. PI. I.
4093	5646686.539	-39677.163	Est. Pos. PI. I.
4096	5646628.726	-39689.778	Fd. No Mkr. Re-est. PI. I.
4097	5646633.806	-39688.725	Fd. No Mkr. Re-est. PI. I.
4129	5646869.436	-39631.586	Fd. I. Bar (did not accept/removed) PI. I.
4130	5646833.631	-39638.963	Est. Pos. PI. I.
1630794	5646453.556	-39720.072	Fd. No Mkr. Re-est. PI. I.

Point Number	Northing	Easting	Description
356	5646467.5	-39783.3	Right Bank of Elbow River
357	5646472.2	-39780.8	Right Bank of Elbow River
358	5646476.3	-39775.5	Right Bank of Elbow River
359	5646481.7	-39774.6	Right Bank of Elbow River
360	5646488.8	-39774.3	Right Bank of Elbow River
361	5646493.9	-39771.2	Right Bank of Elbow River
362	5646497.6	-39771.5	Right Bank of Elbow River
363	5646505.5	-39770.6	Right Bank of Elbow River
364	5646510.9	-39769.2	Right Bank of Elbow River
365	5646519.2	-39763.6	Right Bank of Elbow River
366	5646528.3	-39761.2	Right Bank of Elbow River
367	5646543.7	-39754.4	Right Bank of Elbow River
368	5646557.2	-39751.7	Right Bank of Elbow River
369	5646562.8	-39749.8	Right Bank of Elbow River
371	5646566.6	-39746.8	Right Bank of Elbow River
372	5646567.2	-39744.5	Right Bank of Elbow River
373	5646571.9	-39740.6	Right Bank of Elbow River
374	5646580.4	-39737.8	Right Bank of Elbow River
375	5646591.2	-39734.1	Right Bank of Elbow River
376	5646598.3	-39729.7	Right Bank of Elbow River
377	5646608.5	-39724.3	Right Bank of Elbow River
378	5646619.1	-39718.6	Right Bank of Elbow River
379	5646632.2	-39711.4	Right Bank of Elbow River
380	5646643.4	-39707.3	Right Bank of Elbow River
381	5646652.7	-39704.8	Right Bank of Elbow River
382	5646657.9	-39700.7	Right Bank of Elbow River

Point Number	Northing	Easting	Description
383	5646665.8	-39696.6	Right Bank of Elbow River
384	5646674.4	-39692.6	Right Bank of Elbow River
385	5646682.5	-39687.9	Right Bank of Elbow River
386	5646691.8	-39682.4	Right Bank of Elbow River
387	5646698.5	-39679.1	Right Bank of Elbow River
388	5646705.7	-39677.0	Right Bank of Elbow River
389	5646712.5	-39675.5	Right Bank of Elbow River
390	5646719.1	-39672.0	Right Bank of Elbow River
391	5646731.1	-39668.5	Right Bank of Elbow River
392	5646736.7	-39663.6	Right Bank of Elbow River
393	5646743.7	-39661.4	Right Bank of Elbow River
394	5646751.7	-39660.8	Right Bank of Elbow River
395	5646767.5	-39657.5	Right Bank of Elbow River
396	5646777.9	-39654.5	Right Bank of Elbow River
397	5646783.8	-39650.3	Right Bank of Elbow River
398	5646789.8	-39649.7	Right Bank of Elbow River
399	5646795.1	-39650.4	Right Bank of Elbow River
400	5646803.4	-39646.2	Right Bank of Elbow River
401	5646815.2	-39648.1	Right Bank of Elbow River
402	5646823.0	-39645.4	Right Bank of Elbow River
403	5646828.5	-39645.7	Right Bank of Elbow River
404	5646834.7	-39645.8	Right Bank of Elbow River
405	5646842.4	-39645.5	Right Bank of Elbow River
406	5646845.5	-39645.7	Right Bank of Elbow River
407	5646849.3	-39644.3	Right Bank of Elbow River

Block 6
Subdivision Plan 1741 EW

Block 7
Subdivision Plan 1741 EW

Block 8
Subdivision Plan 1741 EW

Block 9
Subdivision Plan 1741 EW

Block 10
Subdivision Plan 1741 EW

Block 11
Subdivision Plan 1741 EW

Block 12
Subdivision Plan 1741 EW

Block 13
Subdivision Plan 1741 EW

Block 14
Subdivision Plan 1741 EW

Block 15
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Block 19
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Block 20
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Block 29
Subdivision Plan 1741 EW

Block 30
Subdivision Plan 1741 EW

Block 31
Subdivision Plan 1741 EW

Block 32
Subdivision Plan 1741 EW

Block 33
Subdivision Plan 1741 EW

Block 34
Subdivision Plan 1741 EW

Block 35
Subdivision Plan 1741 EW

Block 36
Subdivision

UTILITY SERVICES

TO:	Council	
DATE:	November 27, 2018	DIVISION: All
FILE:	4060-100 / 5050-100	APPLICATION: N/A
SUBJECT:	Water/Wastewater Utilities Bylaw Amendment	

¹POLICY DIRECTION:

A review of water and wastewater user rates for County utilities is undertaken annually to facilitate full cost recovery and align with the 2015-2018 County Strategic Plan's objective for fiscal sustainability.

EXECUTIVE SUMMARY:

In 2017 Council accepted the recommendations of the Utility Operations Service Delivery Alternatives Review report as prepared by Stack'd Consulting Ltd. Of particular importance was the recommendation to focus on increasing the customer base of County owned and operated water and wastewater utilities to enable full cost recovery operations, and to facilitate the potential future transition of County utilities to the County's municipal corporation.

To meet corporate strategic objectives of operating County water and wastewater utilities in a fiscally sustainable manner, Administration has developed a bylaw for Council's consideration that would mandate that certain landowners discontinue use of private water and wastewater systems and hook into County systems at landowner cost.

BACKGROUND:

Response from a Council directed public consultation process in relation to the proposed water and wastewater user rates for 2018 prompted County Administration to explore the potential for requiring properties adjacent to an existing municipal water and/or wastewater utility to connect to that utility. The response from the public consultation process focused primarily on the perception that user fees are more than what they need to be in Bragg Creek because of the number of properties inside the service area that have not connected onto the water and wastewater utilities and who are, therefore, not contributing toward the costs of operating the utilities.

The Bragg Creek water and wastewater utilities have been operating at a financial loss since inception in 2014, and the County has increased user fees on an annual basis in an attempt to minimize these losses and to meet the corporate strategic objectives as outlined above. As a result, those that did connect to the utilities feel they are bearing the full burden of having to pay for the water and wastewater services provided in Bragg Creek, and suggest that the County should force those that chose not to connect to connect so that costs are spread out among more users. While adding the unconnected parties onto the Bragg Creek utilities would certainly decrease the amount each user would have to contribute toward operating costs, the utilities would still operate at a financial loss at current rates and further rate increases would still be required to move toward full cost recovery.

When the water and wastewater utilities were implemented in Bragg Creek, a \$25,000 provincial grant was made available to anyone in the local improvement service area for the construction of on-lot infrastructure necessary to connect to and receive municipal services. The majority of Bragg Creek residents in the local improvement service area took advantage of the grant and connected to

¹ **Administration Resources**
 Stuart Jewison, Utility Services



municipal services, however, there are some that took advantage of the grant to construct the on-lot infrastructure, but chose not to connect and receive municipal services. There were also those who chose not take advantage of the grant and to remain on their private water well and septic systems. Connection to the municipal utilities was optional since the legal landscape at the time did not afford the County the opportunity to make connection to the utilities mandatory. In February of this year, however, County legal counsel advised that a 2017 court ruling to deny the authority of a municipality to implement mandatory connections to its utility systems (*Kozak v. Lacombe County*) was successful appealed, and that there is now legal precedent for Rocky View County pass a bylaw that would empower the County to make connections to its water and wastewater utilities mandatory under certain conditions at landowner cost.

In accordance with the recent court decision and with the assistance of legal counsel, Administration has developed the attached bylaw C-7884-2018 for Council's consideration that if adopted would amend the County's current Water/Wastewater Utilities Bylaw (Bylaw C-7662-2017) and give the County the ability to require properties adjacent to a municipal water and/or wastewater utility to connect to that utility and receive servicing from the County. Specifically for Bragg Creek, the amending bylaw mandates such connection to municipal water and wastewater services by December 31, 2020. The cost to landowners to construct the required on-lot infrastructure and connect to the Bragg Creek water and wastewater utilities is approximately \$30,000 to \$40,000 depending on lot configuration. Other water and wastewater utilities operated by the County are not experiencing the same situation of requiring mandatory connections, however, the ability to do so under bylaw would help should that situation arise in the future.

BUDGET IMPLICATION(S):

The ability to increase the number of customers on County operated utility systems would have a net positive impact on the operating budgets related to those systems as revenues would increase with minimal to no increase in operating costs.

OPTIONS:

- | | |
|-----------|--|
| Option #1 | Motion 1: THAT Bylaw C-7844-2018 be given first reading.
Motion 2: THAT Bylaw C-7844-2018 be given second reading.
Motion 3: THAT Bylaw C-7844-2018 be considered for third reading.
Motion 4: THAT Bylaw C-7844-2018 be given third reading. |
| Option #2 | THAT alternative direction be provided. |

Respectfully submitted,

Concurrence,

"Byron Riemann"

"Rick McDonald"

General Manager

Interim County Manager

ATTACHMENTS:

- ATTACHMENT 'A' – Proposed Amending Bylaw C-7844-2018
 ATTACHMENT 'B' – Current Water/Wastewater Utilities Bylaw C-7662-2017



BYLAW C-7844-2018

A Bylaw of Rocky View County to amend Bylaw C-7662-2017, being the *Water/Wastewater Utilities Bylaw*.

WHEREAS the *Municipal Government Act*, RSA 2000, c M-26, as amended, authorizes Council of a municipality to pass a bylaw compelling connection to a municipal public utility system; and

WHEREAS Rocky View County Council has determined that it is necessary to compel connection to the Rocky View County water and wastewater public utility systems in order to facilitate the viability of the Rocky View County water and wastewater public utility systems;

NOW THEREFORE the Council of Rocky View County enacts the following:

1. This Bylaw shall be known as the “2018 Water/Wastewater Utilities Amending Bylaw”.
2. Bylaw C-7662-2017, being the *Water/Wastewater Utilities Bylaw*, is amended in accordance with Schedule ‘A’ attached to and forming part of this amending Bylaw.
3. This amending Bylaw is passed when it receives third reading and is signed by the Reeve or Deputy Reeve and the County Manager or their designate as per the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this _____ day of _____, 2018

READ A SECOND TIME IN COUNCIL this _____ day of _____, 2018

UNANIMOUS PERMISSION FOR THIRD READING this _____ day of _____, 2018

READ A THIRD TIME IN COUNCIL this _____ day of _____, 2018

Reeve

County Manager or Designate

Date Bylaw Signed

SCHEDULE 'A'

Amendments to Bylaw C-7662-2017, being the Water/Wastewater Utilities Bylaw

1. **PART 2 DEFINITIONS** is amended by adding the following Definitions, in alphabetical order:

Bragg Creek Service Area means that area of the Hamlet of Bragg Creek outlined in red in Schedule "H".

Grinder Pump Station means a septic grinder pump station that adheres to the schematic set out in Schedule "I".

Low Pressure Sanitary Sewer means a Sanitary Sewer collection system that consists of a small diameter force main typically installed within the road right-of-way. The system requires installation of a Grinder Pump Station at each service location to convey wastewater to the low pressure sewer system.

2. **SCHEDULE "A" TERMS AND CONDITIONS OF SERVICE - GENERAL: NEW SERVICES** is amended by adding new Section 15.1 and 15.2 after existing Section 15:

15.1 Provided that pipes forming part of the County's Water Main and/or Sanitary Sewer are located within a road, easement, public utility lot, utility right of way, or other property owned or controlled by the County, the Chief Administrative Officer may require the Owner of Premises located adjacent to the Water Main and/or Sanitary Sewer to connect that Premises to the Water Main and/or Sanitary Sewer including but not limited to requiring the Owner to:

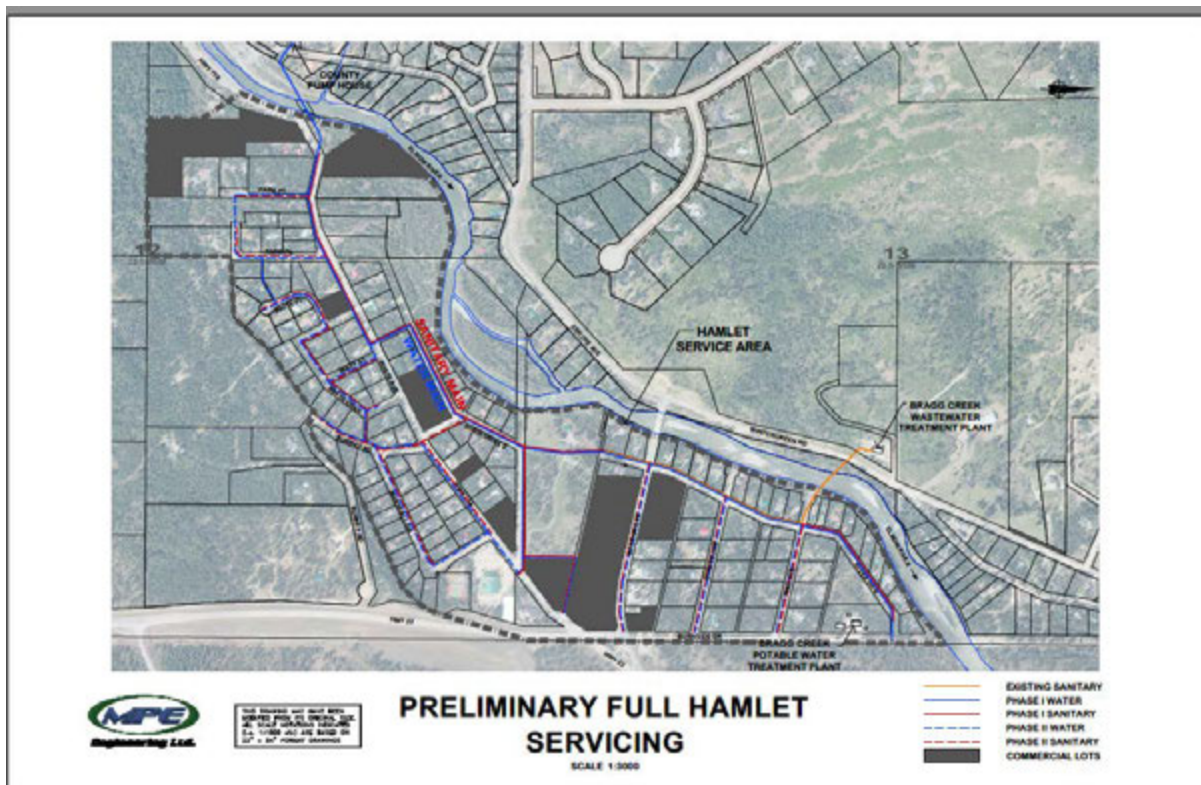
- (a) provide or pay for a Service Connection and Utilities Main Connection from that Premises to the Water Main and/or Sanitary Sewer including the installation of an on-lot septic Grinder Pump Station when connecting to a Low Pressure Sanitary Sewer at the Owner's sole cost and expense;
- (b) pay all applicable Charges set out in Schedule "D" including but not limited to payment of a connection fee and/or a Deposit;
- (c) install a Meter at the Owner's sole cost and expense;
- (d) disconnect the Premises from a Private Wastewater Disposal System and/or Private Water System;
- (e) remove and/or remediate the Private Wastewater Disposal System in accordance with Schedule "B": Section 6;
- (f) disconnect the Private Water System from building(s) on the Premises in accordance with Schedule "C": Section 2.05;
- (g) set up a Utility Account for the Premises; and
- (h) obtain Utility Service for Water and/or Wastewater from the County.

- 15.2 All Owners of Premises within the Bragg Creek Service Area which are located adjacent to the Water Main and/or Sanitary Sewer shall be required to connect to the County's Water Main and/or Sanitary Sewer in accordance with Section 15.1 on or before December 31, 2020 unless earlier required to do so by reason of condition of development permit or subdivision approval.
3. **SCHEDULE "A" TERMS AND CONDITIONS OF SERVICE - GENERAL: GENERAL** is amended by adding new Section 20(d) after the existing Section 20(c):
- (d) Connection to the Water Main and/or Sanitary Sewer.
4. **SCHEDULE "A" TERMS AND CONDITIONS OF SERVICE - GENERAL: EXTENSION OF SERVICE AREA** is amended by adding new Section 64(c.1) after the existing Section 64(c):
- (c.1) The County shall supply Utility Services to Premises in accordance with this Bylaw where the Chief Administrative Officer has directed the connection of the Premises to the Water Main and/or Sanitary Sewer in accordance with Section 15.1 or where Premises in the Bragg Creek Service Area have connected to the Water Main and Sanitary Sewer in accordance with Section 15.2.
5. **SCHEDULE "B" TERMS AND CONDITIONS OF SERVICE - WASTEWATER SERVICES** is amended by replacing the existing Section 2 with the following:
- 2. Installation and Connection of Toilet Facilities**
- Where required by the Chief Administrative Officer in accordance with Section 15.1 of Schedule "A", the application of Section 15.2 of Schedule "A", subdivision approval, development permit, County servicing standards or a government authority having jurisdiction, the Owner of each Premises used for human occupancy, employment, recreation or other purpose located on property lying along the Sanitary Sewer shall install suitable toilet facilities therein and connect such facilities directly with the Sanitary Sewer.
6. **SCHEDULE "B" TERMS AND CONDITIONS OF SERVICE - WASTEWATER SERVICES** is amended by replacing the existing Section 6 with the following:
- 6. Connection to Sanitary Sewer and Remediation of Private Wastewater Disposal System**
- Where connection to the Sanitary Sewer is required by the Chief Administrative Officer in accordance with Section 15.1 of Schedule "A", the application of Section 15.2 of Schedule "A", subdivision approval, development permit, County servicing standards or a government authority having jurisdiction, any existing Private Wastewater Disposal System shall be abandoned, cleaned of sludge and filled with dirt or pit-run gravel, or removed and replaced with fill material approved by the Chief Administrative Officer at the Owner's sole cost and expense.
7. **SCHEDULE "B" TERMS AND CONDITIONS OF SERVICE - WASTEWATER SERVICES** is amended by adding a new Section 14.04 as follows:
- 14.04** When connecting to a Low Pressure Sanitary Sewer, the Owner shall install an on-lot septic Grinder Pump Station at the Owner's sole cost and expense.

8. **SCHEDULE "C" TERMS AND CONDITIONS OF SERVICE - WATER SERVICES** is amended by replacing the existing Section 2.04 with the following:
- 2.04 Where required by the Chief Administrative Officer in accordance with Section 15.1 of Schedule "A", the application of Section 15.2 of Schedule "A", subdivision approval, development permit, County servicing standards or a government authority having jurisdiction, the Owner of each Premises used for human occupancy, employment, recreation or other purpose located on property lying along the Water Main shall connect such Premises directly with the Water Main.
9. **SCHEDULE "C" TERMS AND CONDITIONS OF SERVICE - WATER SERVICES** is amended by replacing the existing Section 2.05 with the following:
- 2.05 Where connection to the Water Main is required by the Chief Administrative Officer in accordance with Section 15.1 of Schedule "A", the application of Section 15.2 of Schedule "A", subdivision approval, development permit, County servicing standards or a government authority having jurisdiction, the Owner of the Premises shall disconnect the Private Water System from the building(s) located on the Premises at the Owner's sole cost and expense.
10. **A NEW SCHEDULE "H" BRAGG CREEK SERVICE AREA** is attached as follows:

SCHEDULE "H"

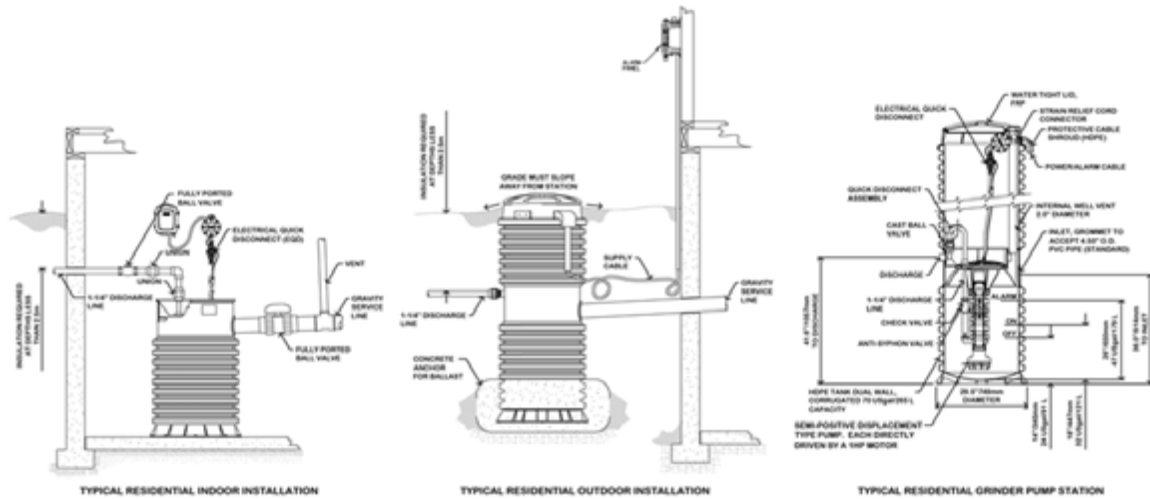
BRAGG CREEK SERVICE AREA



11. A NEW SCHEDULE "I" GRINDER PUMP STATION SCHEMATIC is attached as follows:

SCHEDULE "I"

GRINDER PUMP STATION SCHEMATIC





BYLAW C-7662-2017

A Bylaw of Rocky View County regulating and providing for the Terms, Conditions, Rates and Charges for the supply and use of Water and Wastewater Utilities.

WHEREAS the ***Municipal Government Act*** R.S.A. 2000, c. M-26 authorizes Rocky View County Council to pass bylaws for municipal purposes respecting public utilities, services, facilities and other things that are necessary or desirable for the County;

AND WHEREAS the ***Municipal Government Act*** authorizes Rocky View County Council to establish the terms, costs and Charges for the provision of public Utility Services;

AND WHEREAS Rocky View County Council has determined that provision of Water and Wastewater public utilities by Rocky View County is desirable;

The Council of Rocky View County enacts as follows:

PART 1 - TITLE

This Bylaw shall be known as the "Water/Wastewater Utilities Bylaw".

PART 2 - DEFINITIONS

In this Bylaw unless the context specifically indicates otherwise:

ADVERSE EFFECT means the impairment of or damage to the environment, human health and safety, or property.

APPLICANT means a property Owner or the authorized agent of a property Owner who applies to the County for the supply of Utility Services.

APPLICATION means the application made by an Owner for the supply of Utility Services.

APPLICATION CHARGE means the Charge required to be paid by a Consumer pursuant to Schedule "D" before the County supplies Utility Services to such Consumer.

AREAWAY DRAIN means a drain installed to collect surface or rain water from an open area outside a building.

AUTOSAMPLER means a mechanical device that collects samples of Wastewater periodically from a Wastewater source in order to obtain a Composite Sample.

BIOLOGICAL WASTE means waste from a hospital, medical clinic, health care facility, dental clinic, dental laboratory, mortuary, necropsy facility, biological research laboratory or other similar facilities which contains or may contain:

- (a) pathogenic agents that cannot be effectively mitigated by Wastewater treatment; or
- (b) experimental biological matter that may be hazardous to human health or detrimental to the environment.

B.O.D. (denoting STANDARD BIOCHEMICAL OXYGEN DEMAND) means the quantity of oxygen utilized in the biochemical oxidation of the organic matter in Wastewater under standard

laboratory procedure over a period of five (5) days at a constant temperature of 20°C, expressed in milligrams per litre.

BTEX means the total of benzene, toluene, ethyl benzene, and xylenes.

BUILDING PROJECT means the construction, demolition or alteration of any structure anywhere in the County but does not include landscaping or the construction, alteration or demolition of garages, garden sheds and similar structures which are accessory structures to Residential Premises.

BULK WATER means treated Water sold or supplied by the County in distinct quantities for sale, delivery, and/or use, typically by or through hauling by truck, off-site from the point of sale and delivery from the County excluding sales or other supplies for fire suppression purposes.

BULK WATER FACILITY means the land, buildings, equipment and other facilities used by the County for the sale and supply of Bulk Water.

BYLAW ENFORCEMENT OFFICER means an individual employed by the County in the position of Bylaw Enforcement Officer.

CHARGE or CHARGES means any amount assessed to a Consumer as a condition to provision of Utility Services, other than a Rate, and including those Charges listed on Schedule "D".

CHIEF ADMINISTRATIVE OFFICER means the individual appointed to the position of Chief Administrative Officer by Council in accordance with the ***Municipal Government Act*** and includes his/her designate.

CLEANOUT means a pipe fitting that has a removable cap or plug and is so constructed that it will permit cleaning of a Service Connection connected to a Sanitary Sewer.

C.O.D. (denoting CHEMICAL OXYGEN DEMAND) means a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant.

COMBINED SERVICE means the Service Connection used or intended to be used to supply Water for fire protection as well as Water for purposes other than fire protection.

COMMERCIAL PREMISES means all Premises in the County which are not Building Projects or Dwelling Units including but not limited to Institutional Premises and Industrial Premises.

COMMERCIAL/INSTITUTIONAL WASTEWATER means Wastewater that is the composite of liquid and water-carried wastes from Institutional Premises, Commercial Premises, Industrial Premises or other non-residential Premises.

COMMUNICATION WIRE means the wire which connects a Water Meter to a Remote Reading Device.

COMPOSITE SAMPLE means a sample composed of a number of Grab Samples which have been collected over a specified period of time, usually 24 hours or the operating hours of the particular Premises, and combined in proportion to the volume of Wastewater discharge such Grab Samples represent.

CONSTRUCTION MANUAL means the standard specifications for construction of municipal improvements as established, revised and adopted from time to time by the County.

CONSUMER means any Person who has entered into, or deemed to have entered into, a contract with the County for the provision of Utility Services, or who is the Owner or Occupant of any property connected to or provided with a Utilities Main Connection.

CONTROL MANHOLE means a manhole situated over a Service Connection connected to a Sanitary Sewer, for the purpose of observation, sampling and measurement of Wastewater.

COUNCIL means the duly elected Council of the County.

COUNTY means Rocky View County, or the area contained within the boundaries thereof, as the context requires.

DEPOSIT means and includes, as the context may require, a deposit or additional deposit paid pursuant to Schedule "D".

DESIGN MANUAL means standard guidelines for design and development of municipal improvements as established, revised and adopted from time to time by the County.

DOMESTIC WASTEWATER means the Wastewater that is the composite of liquid and water-carried wastes associated with the use of Water for drinking, cooking, cleaning, washing, hygiene, sanitation or other domestic purposes, that is released into a Sanitary Sewer, and Domestic Wastewater does not include Wastewater from Institutional Premises or Commercial Premises.

DWELLING UNIT means any building occupied or used as living quarters or an abode by not more than three (3) families, but does not include a condominium, apartment building, mobile home park, Institutional Premises, Lodges or Mixed Use Residential Premises.

EMERGENCY means a situation where there is imminent danger or risk to public safety or of serious harm to property or the County's facilities or infrastructure and includes a Water supply shortage or direction from Alberta Environment and Parks.

FATS, OIL AND GREASE (FOG) means solvent extractable matter of animal, vegetable or mineral origin as set forth in the Standard Methods.

FIRE HYDRANT means fire hydrant owned or under the control and management of the County.

FIRE LINE means a pipe that is intended solely for the purpose of providing a standby supply of Water for fire protection purposes.

FIXTURE means a receptacle, appliance, apparatus or other device that discharges Wastewater or clear water waste and includes a Floor Drain and a Garage Drain.

FLAMMABLE LIQUID means a substance that is a liquid, a mixture of liquids or a liquid containing solids in solution or suspension that has a flash point not greater than 61° C as determined by American Society for Testing Materials (A.S.T.M.) method D93-48 for flash point by Pensky-Martens closed cup tester.

FLOOR DRAIN means a Fixture used to receive water from the floor of a building.

FORCE MAJEURE means events arising from acts of God, strikes, lockout, or other industrial disturbances, acts of public enemy, acts of the Queen's enemies, wars, blockades, insurrections, riots, epidemics, landslides, lightning, floods, earthquakes, explosions, fires, civil disturbance, mechanical breakdowns, intervention of federal, provincial, state or local government or from any of their agencies or boards, the order or direction of any court, and any other causes whether of the kind herein enumerated or otherwise, not within the reasonable control of the County and which by the exercise of reasonable diligence and at a reasonable cost the County is unable to prevent or overcome.

FOUNDATION DRAIN or WEEPING TILE means any arrangement or type of pipe placed along the perimeter of a building foundation for the collection of groundwater.

GARAGE DRAIN means a Fixture used to receive water from the floor of a building consisting of any garage or other enclosed structure designed, intended, utilized or capable of being utilized for the purposes of parking or storage of vehicles.

GRAB SAMPLE means a sample collected at a particular time and place, or over a short period of time, by taking and combining one or more samples of Water or Wastewater flow.

HAULED WASTEWATER means Wastewater transported by method other than pipeline to another point for disposal.

HAULED WASTEWATER PERMIT means a permit issued by the County pursuant to this or any other Bylaw to allow access to the County's Wastewater Facilities for deposit of Hauled Wastewater.

HAZARDOUS SUBSTANCE means:

- (a) any substance or mixture of substances, other than Pesticides, that exhibit characteristics of flammability, corrosivity, reactivity or toxicity; and
- (b) any substance that is designated as a Hazardous Substance within the regulations of the *Environmental Protection and Enhancement Act* and the Waste Control Regulation (AR129/93) of the Province of Alberta and any successor to this Act or regulations.

HAZARDOUS WASTE means waste defined as Hazardous Waste under the *Environmental Protection and Enhancement Act*.

HEALTH OFFICER means the Medical Officer of Health of Alberta Health Services, or the duly authorized representative of the Health Officer.

HIGHWAY means a Provincial highway under the *Highways Development and Protection Act*.

HYDROCARBONS means solvent extractable matter as set forth in the Standard Methods.

INDUSTRIAL PREMISES means Premises that are utilized for manufacturing, processing, assembly, storage, servicing, repairing and/or shipping of materials, goods and/or equipment and similar purposes.

INDUSTRIAL WASTEWATER means Wastewater that is the composite of liquid and water-carried wastes from Industrial Premises.

INSTITUTIONAL PREMISES means hospitals, schools, correctional centres and similar institutions and for the purpose of this Bylaw shall be deemed to be Commercial Premises.

INTERCEPTOR means a receptacle that is installed to prevent Fats, Oil and Grease, sand and grit or other materials from passing into a drainage system.

LIME SLURRY AND RESIDUES means a mixture of lime and water resulting in a PH in excess of 10, or Suspended Solids in excess of 1000 milligrams per litre.

LODGES means senior citizen lodges.

LOT means a lot as defined in the *Municipal Government Act* (Alberta).

MANAGER means the person employed by the County in the position of Utility Services Manager, or the individual designated to act in his/her place.

MANIFEST means documentation accompanying deliveries of Hauled Wastewater, by a Hauled Wastewater Permit holder or otherwise, that identifies:

- (a) the generator of the Wastewater;

- (b) date and time of loading;
- (c) quantity and composition;
- (d) transporting company;
- (e) date and time of off-loading; and
- (f) signature of the Person hauling and authorizing the contents are within the limits of this Bylaw prior to the release of the load into a Wastewater Facility.

MASTER RATES BYLAW means County Bylaw C-7630-2017, as amended, repealed or replaced from time to time.

MERCAPTANS (THIOLS) means the sulphur analogs of alcohol and phenols with the general chemical formula RSH where R is the organic portion of the molecule.

METER means any device supplied, used or authorized by the County for the purpose of measuring the volume of Water consumed on, or the volume of Wastewater discharged from a Premises.

MIXED USE RESIDENTIAL PREMISES means Residential Premises which are attached to or form part of a commercial, recreational or industrial development, where the commercial, recreational or industrial development is intended to and does primarily serve Persons who are not living in the residential portion of the Premises but does not include a Dwelling Unit with respect to which a permit to conduct a home occupation business has been issued pursuant to the County's Land Use Bylaw.

NATURAL OUTLET means any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater that is not man-made.

NO-CORRODE SERVICE CONNECTION means a Service Connection pipe made of multiple layers of black paper.

NON-RESIDENTIAL CONSUMER means any Consumer who is not a Residential Consumer.

NORMAL BUSINESS HOURS means 8:00 a.m. to 4:30 p.m. Monday to Friday, excluding statutory and civic holidays.

OCCUPANT means a Person who occupies a Premises pursuant to a lease, licence or other agreement with or authorization from the Owner.

OFFICER means a Bylaw Enforcement Officer, Peace Officer and member of the Royal Canadian Mounted Police.

OVERSTRENGTH WASTEWATER means Wastewater which has concentrations in excess of one or more of the following:

- (a) 300 mg/L of Biochemical Oxygen Demand (BOD);
- (b) 300 mg/L of Total Suspended Solids (TSS);
- (c) 100 mg/L of Fats, Oil and Grease (FOG);
- (d) 10 mg/L of Total Phosphorus (TP); and
- (e) 50 mg/L of Total Kjeldahl Nitrogen (TKN).

OWNER means the Person registered as the owner of a Premises pursuant to the provisions of the **Land Titles Act** (Alberta) and shall include a Person who is purchasing a Premises under an Agreement for Sale.

PEACE OFFICER means a Person employed by the County in the position of peace officer in accordance with the *Peace Officer Act*, R.S.A. 2006, Chapter P-3.5.

PERSON means any individual, partnership, firm, corporation, municipality, association, society, political or other group, and the heirs, executors, administrators or other legal representatives of a Person to whom the context can apply according to law.

PESTICIDE means any chemical having the nature of a herbicide, insecticide or fungicide.

PH means the logarithm of the reciprocal of the concentration of hydrogen ions in moles per litre of solution and denotes the relative alkalinity or acidity.

PHOSPHATES means a chemical salt classified as orthophosphates, condensed phosphates and organically bound phosphates.

POLLUTED WASTES AND POLLUTED WATER means materials or water that are contaminated with Prohibited Wastes or with wastes in excess of that permitted in this Bylaw.

PREMISES means any one or more of the following:

- (a) land;
- (b) a building or a structure;
- (c) both (a) and (b);
- (d) part of (a) or (b)

PRIVATE PROPERTY means any property which is not owned or controlled by the County.

PRIVATE WASTEWATER DISPOSAL SYSTEM means Private Property utilized for the collection, storage, and disposal of Wastewater consisting of:

- (a) septic field;
- (b) holding tank; or
- (c) other system approved by the Manager;

which are approved pursuant to this Bylaw, and/or installed and operational pursuant to any existing or future subdivision or development approval or permit respecting the property containing the building(s) serviced by the Private Wastewater Disposal System.

PRIVATE WATER SYSTEM means a well, storage tank or reservoir together with such related pipes, pumps and appurtenances located on Private Property utilized for the provision of potable water by the Occupants of the property.

PROHIBITED WASTES means Prohibited Wastes as described in Schedule "E".

PROPERLY GROUND GARBAGE means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in Sanitary Sewers, with no particle large enough to be retained on a six (6) millimeter sieve.

RADIOACTIVE SUBSTANCE means substances defined in the *Atomic Energy Control Act* and the regulations passed there under, as amended from time to time.

RATE or RATES means any rate assessed by the County to a Consumer pursuant to Schedule "D".

RAW WATER means untreated, non-potable water.

REGULATIONS means regulations promulgated pursuant to the Canadian Plumbing Code and other applicable provincial legislation (Alberta).

REMEDIAL ORDER means an order issued pursuant to Section 545 of the *Municipal Government Act* and Part 8 of this Bylaw, substantially in the form set out in Schedule "G".

REMOTE READING DEVICE means the device attached to a Meter which enables the County to determine Water consumption or Wastewater generation registered by a Meter, without entering the building in which the Meter is installed.

RESIDENTIAL CONSUMER means the Owner or Occupant of a single family Dwelling Unit used exclusively for residential purposes which has a separate Meter.

RESIDENTIAL PREMISES means all buildings which are designed and used as living accommodations for individuals or families including Dwelling Units, condominiums, mobile home parks, apartment buildings, and Mixed Use Residential Premises, but does not include Institutional Premises or Lodges.

RESTRICTED WASTES means Restricted Wastes as defined in Schedule "F".

ROAD means land which is under the direction, control and management of the County and which is shown as a road on a plan of survey that has been filed or registered in a land titles office, used as a public road and includes a bridge forming part of a public road and any structure incidental to a public road and, for the purposes of this Bylaw, includes a Highway.

SANITARY SEWER means a Sewer owned by the County and used for the collection and disposal of Wastewater and to which storm, surface and groundwater are not intentionally admitted.

SEAL means a sealed wire loop that passes through one end connection and the body of a Meter to prevent tampering.

SERVICE AREA means the geographical area within which the County provides, is designated to provide, or is entitled to provide Utility Services.

SERVICE BOX means the operating rod, casing, and extension used for the operation of a Service Valve from ground level.

SERVICE CONNECTION means that portion of pipes constructed or maintained by an Owner and used or intended to be used for the supply of Water or the collection of Wastewater, as the context may require, in the case of a Water Utility Service extending from the property line to the Meter, and in the case of a Sewer Utility Service extending from the property line to the main Cleanout.

SERVICE KILL means the physical disconnection of a Water Service Connection from a Water Main.

SERVICE VALVE means the valve on a Utilities Main Connection.

SERVICING STANDARDS means the servicing standards adopted by Council from time to time.

SEWER means pipes designed and installed for the collection and conveyance of Wastewater.

SHUT-OFF means an interruption in or discontinuation of the supply of Utility Service.

SINGLE FAMILY RESIDENTIAL BUILDING means a building containing one residential Dwelling Unit only and which is not attached to any other building and shall include a mobile home for the purpose of this Bylaw.

SLUG means any discharge of Water, Wastewater, or Industrial Wastewater which in concentrations of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times average twenty-four (24) hour concentration or flows during normal operation.

SPECIFIED PENALTY means a specified penalty as defined in the *Provincial Offences Procedures Act* (Alberta).

SPRINKLERING means the distribution of Water to the surface or sub-surface of lawns, gardens, or other areas situated outside buildings by pipes, hoses, sprinklers or any other method, and shall include all uses of Water other than human and commercial consumption and firefighting.

STANDARD METHODS means the latest edition of "Standard Methods for the Examination of Water and Wastewater", as published by the American Public Health Association.

STORM DRAIN means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, incidental waste, Foundation Drain, Weeping Tile, Areaway Drain and other drainage pipes within a building or property and conveys it to the point of connection with a Storm Sewer.

STORM SEWER means surface works or sewer which carries storm, surface waters and other drainage from any Storm Drain or other drainage source, but not Wastewater and industrial wastes, other than unpolluted cooling water.

SUSPENDED SOLIDS means solids that either float on the surface of, or are in suspension in, treated or untreated water, Wastewater or other liquid, and which are removable by laboratory filtering.

TERMS AND CONDITIONS means the manner in which the County is to provide Utility Services as contemplated in Schedules "A"-"F" of this Bylaw.

TEST MANHOLE means a manhole or other facility used by the County for obtaining flow measurement and Wastewater samples of any and all discharges into any Sanitary Sewer or Storm Sewer.

TOTAL DISSOLVED SOLIDS means solids that dissolve in treated or untreated water, Wastewater or other liquid, and which are not removable by laboratory filtering.

TOTAL KJELDAHL NITROGEN (TKN) means organic nitrogen plus ammonia expressed in mg/L as set forth in Standard Methods.

TOTAL SUSPENDED SOLIDS (TSS) means solid matter that can be removed by filtration through a standard filter as set forth in the Standard Methods.

UTILITIES MAIN CONNECTION means that portion of pipes constructed by the County and used or intended to be used for the supply of Water or collection of Wastewater, as the context may require, in the case of a Water Utility Service extending from the Water Main to the property line, and in the case of a Sewer Utility Service extending from a Sanitary Sewer to the property line.

UTILITY ACCOUNT means an account created pursuant to Schedule "A".

UTILITY INVOICE means an invoice rendered to a Consumer for Rates and Charges payable pursuant to the provision of the Utility Service governed by the Bylaw.

UTILITY SERVICE and UTILITY SERVICES means and includes, as the context may require:

- (a) the supply of Water; and/or

(b) the provision of Wastewater collection and disposal.

VIOLATION TAG means a violation tag issued by the County pursuant to the *Municipal Government Act* and Part 12 of this Bylaw.

VIOLATION TICKET means a violation ticket as defined in the *Provincial Offences Procedures Act* (Alberta).

VOLUNTARY PAYMENT means a voluntary payment as defined in the *Provincial Offences Procedure Act* (Alberta).

WASTEWATER means a combination of water-carried wastes from a Premises, excluding ground, surface, and storm waters to the extent that such connections and discharges into the Sanitary Sewers are prohibited.

WASTEWATER FACILITY means a facility used by the County for the collection, treatment and disposal of Wastewater comprised of land, buildings, equipment and other facilities, and **WASTEWATER FACILITIES** means all such facilities.

WASTEWATER TREATMENT PLANT means the Wastewater Treatment Plant owned and operated by the County.

WATER means treated water suitable for human consumption.

WATER FACILITY means a facility used by the County for treatment and supply of Water comprised of land, buildings, reservoirs, equipment and other facilities and **WATER FACILITIES** means all such facilities.

WATER MAIN means those pipes installed by the County for the conveyance of Water throughout the County to which a Utilities Main Connection and a Service Connection may be connected.

WATER TREATMENT PLANT means the water treatment plant owned and operated by the County.

PART 3 – TERMS AND CONDITIONS - GENERAL

The general Terms and Conditions for the provision of the Utility Services are as set out in Schedule “A”.

PART 4 – TERMS AND CONDITIONS - WASTEWATER SERVICES

The Terms and Conditions for the provision of Wastewater Utility Services are as set out in Schedule “B”.

PART 5 – TERMS AND CONDITIONS - WATER SUPPLY

The Terms and Conditions for the provision of Water Utility Services are as set out in Schedule “C”.

PART 6 – CHARGES AND RATES

The County may impose:

- (a) Charges as set out in Schedule “D”; and
- (b) Rates for the provision of Utility Services as set out in Schedule “D”.

PART 7 – OFFENCES

- 7.01 Any Person who violates or contravenes any provision of this Bylaw is guilty of an offence.
- 7.02 It is the intention of Council that all offences created under this Bylaw be interpreted to be strict liability offences.
- 7.03 Where a contravention of this Bylaw is of a continuing nature, a contravention shall constitute a separate offence in respect of each day, or part of a day, on which that offence continues.
- 7.04 No Person shall hinder or interrupt or cause or procure to be hindered or interrupted, the County, or any of its respective employees, officers, contractors, servants, agents, workmen, or any of them, in the exercise of any of the powers and duties related to and authorized by or contained in this Bylaw.

PART 8 – REMEDIAL ORDERS

- 8.01 If the Chief Administrative Officer determines that a Person is contravening this Bylaw, the Chief Administrative Officer may issue a Remedial Order to that Person. The Remedial Order may:
 - (a) direct the Person to stop doing something or to change the way in which the Person is doing it;
 - (b) direct the Person to take any action or measures necessary to remedy the contravention of this Bylaw;
 - (c) state a time within which the Person must comply with the Chief Administrative Officer's directions and provide proof of compliance to the Chief Administrative Officer; and
 - (d) state that if the Person does not comply with the directions within a specified time, the County may take the action or measure at the expense of the Person.
- 8.02 Any Person who receives a Remedial Order may request a review of the Remedial Order by Council in accordance with Section 547 of the ***Municipal Government Act*** by filing a written request for review of the Remedial Order together with a fee of \$50.00 with the Chief Administrative Officer within 14 days of receipt of the Remedial Order. The request for review shall set out the grounds for the request.
- 8.03 Within thirty (30) days after receipt of the request for review, Council shall review the Remedial Order and may confirm, vary, substitute or cancel the Remedial Order and shall issue a written decision, including reasons for the decision, to the Person who requested the review.
- 8.04 Any Person affected by the decision of Council may appeal the decision to the Court of Queen's Bench in accordance with Section 548 of the ***Municipal Government Act***.

PART 9 – SERVICE OF NOTICES AND REMEDIAL ORDERS

- 9.01 In any case where the Chief Administrative Officer is required to issue a notice or Remedial Order to any Person pursuant to this Bylaw, the Chief Administrative Officer shall effect such service either:
 - (a) by causing a written copy of the notice or Remedial Order to be delivered to and left in a conspicuous place at or about the Premises within which the Utility Service was being supplied to the Owner or Consumer affected by such notice

or where the Bylaw contravention which is the subject of the Remedial Order has occurred or is occurring;

- (b) by causing a written copy of the notice or Remedial Order to be mailed or delivered to the last known address of the Owner as disclosed in the land registry system established by the **Land Titles Act** of Alberta as shall appear to the Chief Administrative Officer most appropriate in the circumstances; or
- (c) by causing a written copy of the notice or Remedial Order to be mailed or delivered to the last known address of the Consumer and/or Owner as set out in the Utility Account for the Premises within which the Utility Service was being supplied to the Consumer affected by such notice or where the Bylaw contravention which is the subject of the Remedial Order has occurred or is occurring.

PART 10 – INSPECTION

- 10.01** The Chief Administrative Officer is a designated officer for the purpose of Section 542 of the **Municipal Government Act** and is authorized to enter onto and into Premises to carry out inspections, remedies, enforcement or other actions with respect to this Bylaw in accordance with the **Municipal Government Act**.

PART 11 – PENALTIES

- 11.01** A Person who violates any of Section 26 of Schedule “B” or Sections 7 or 11.02 of Schedule “C” shall be liable to pay:
- (a) for a first offence, a Specified Penalty of \$500.00;
 - (b) for a second offence, a Specified Penalty of \$500.00;
 - (c) for a third or subsequent offence, a Specified Penalty in the sum of not less than \$500.00 and not more than \$2,500.00.
- 11.02** A Person who violates any provision other than Section 26 of Schedule “B” or Sections 7 or 11.02 of Schedule “C” of this Bylaw shall be liable to pay:
- (a) for a first offence, a Specified Penalty in the sum of \$50.00, or upon summary conviction, a fine of not less than \$50.00 and not more than \$2,500.00;
 - (b) for a second offence, a Specified Penalty in the sum of \$100.00, or upon summary conviction, a fine of not less than \$100.00 and not more than \$2,500.00;
 - (c) for a third or subsequent offence, a Specified Penalty in the sum of \$200.00, or upon summary conviction, a fine of not less than \$200.00 and not more than \$2,500.00.

PART 12 – VIOLATION TAG

- 12.01** An Officer is hereby authorized and empowered to issue a Violation Tag to any Person whom the Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 12.02** A Violation Tag may be served on such Person who is an individual, either:
- (a) by delivering it personally to such Person; or

- (b) by leaving a copy for such Person at his/her last known Premises with an individual at the Premises who appears to be at least 18 years of age;
and such service shall be adequate for the purposes of this Bylaw.

12.03 A Violation Tag may be served on a Person which is a corporation, either:

- (a) by sending it by registered mail to the registered office of the corporation, or
- (b) by delivering it personally to the manager, secretary or other executive officer of the corporation or the person apparently in charge of a branch office of the corporation at an address held out by the corporation to be its address,
and such service shall be adequate for the purposes of this Bylaw.

12.04 The Violation Tag shall be in a form approved by the Chief Administrative Officer and shall state:

- (a) the Person's name;
- (b) the offence;
- (c) the appropriate voluntary penalty for the offence as specified in this Bylaw;
- (d) that the voluntary penalty shall be paid within (10) days of issuance of the Violation Tag in order to avoid further prosecution; and
- (e) any other information as may be required by the Chief Administrative Officer.

12.05 Where a contravention of this Bylaw is of a continuing nature, further Violation Tags may be issued by the Officer provided, however, that no more than one Violation Tag shall be issued for each day that the contravention continues.

12.06 Where a Violation Tag has been issued in accordance with this Bylaw, the Person to whom the Violation Tag has been issued may, in lieu of being prosecuted for the offence, pay to the County cashier the penalty within the time frame specified in the Violation Tag.

12.07 The voluntary penalty for a first offence shall be 50% of the Specified Penalty for a first offence of that particular offence. The voluntary penalty for a second and each subsequent offence shall be 50% of the Specified Penalty for a second and subsequent offence of that particular offence.

12.08 Nothing in this Bylaw shall prevent an Officer from immediately issuing a Violation Ticket.

PART 13 – VIOLATION TICKET

13.01 An Officer is hereby authorized and empowered to issue a Violation Ticket to any Person whom the Officer has reasonable and probable grounds to believe a Person has contravened any provision of this Bylaw.

13.02 A Violation Ticket may be served on such Person who is an individual, either:

- (a) by delivering it personally to such Person, or
- (b) by leaving a copy for such Person at his/her last known Premises with an individual at the Premises who appears to be at least 18 years of age,
and such service shall be adequate for the purposes of this Bylaw.

13.03 A Violation Ticket may be served on a Person which is a corporation, either:

- (a) by sending it by registered mail to the registered office of the corporation, or

- (b) by delivering it personally to the manager, secretary or other executive officer of the corporation or the person apparently in charge of a branch office of the corporation at an address held out by the corporation to be its address,
and such service shall be adequate for the purposes of this Bylaw.

PART 14 – RECOVERY OF ENFORCEMENT COSTS

- 14.01 The expenses and costs of any action or measures taken by the County under this Bylaw are an amount owing to the County by the Person in contravention of this Bylaw.
- 14.02 Where the Owner contravened this Bylaw and the contravention occurred on the Owner's Premises, any unpaid expenses or costs may be added to the tax roll of that Premises in accordance with the **Municipal Government Act**.
- 14.03 The costs and expenses incurred by the County in the enforcement of this Bylaw may be collected as a civil debt.

PART 15 – TRANSITIONAL

- 15.01 Bylaw C-7662-2017 is passed when it receives third reading, and is signed by the Reeve or Deputy Reeve and the County Manager or Designate, as per the Municipal Government Act.
- 15.02 Bylaws C-5083-1999 and C-5643-2002 are repealed, all as of the date that this Bylaw comes into effect.

READ A FIRST TIME IN COUNCIL this

23rd day of May, 2017

READ A SECOND TIME IN COUNCIL this

23rd day of May, 2017

~~UNANIMOUS PERMISSION FOR THIRD READING~~

~~day of , 2017)~~

READ A THIRD TIME IN COUNCIL this

13th day of June, 2017



Reeve or Deputy Reeve



County Manager or Designate



Date Bylaw Signed

SCHEDULE "A"**TERMS AND CONDITIONS OF SERVICE - GENERAL****MANAGEMENT**

1. The County shall, in accordance with the Terms and Conditions prescribed in this Bylaw, be responsible for the operation and management of all of the County's facilities and equipment utilized for:
 - (a) Wastewater collection, treatment and disposal; and
 - (b) the treatment, supply, or distribution of Water.
2. The Manager may establish standards, guidelines and specifications for the design, construction and maintenance of all works required for the operation of the County's Utilities Services.
3. The Manager shall exercise the powers and perform the duties with respect to Utilities Services given or assigned to him/her by this and any other Bylaw of the County.

INSPECTIONS

4. The Chief Administrative Officer or his/her designate together with any duly authorized employee of the County, or contractor engaged by the County, bearing proper credentials and identification, may enter upon any Premises for the purpose of inspection, observation, measurement, sampling or testing in accordance with the provisions of Part 10 of this Bylaw and the **Municipal Government Act**. If such an inspection discloses any failure, omission, or neglect respecting any Utility Services upon the Premises, or discloses any defect in the location, construction, design or maintenance of any facility or connection, the Chief Administrative Officer or his/her designate may, in writing, notify the Consumer, Owner, proprietor or occupier to rectify the cause of complaint within a reasonable time as determined by the Chief Administrative Officer or his/her designate. Such Person shall, within the time specified in the notice, rectify the complaint stated in the notice.
5. Notwithstanding Section 4, the Chief Administrative Officer or his/her designate may issue a Remedial Order in accordance with Part 8 of the Bylaw at any time.
6. Whilst acting under the authority of Section 4 of this Schedule, the Chief Administrative Officer, his/her designate, employee or contractor, as the case may be, shall observe all safety rules applicable to the Premises established by the Owner or Occupant.
7. For the purpose of determining compliance or non-compliance with the provisions of this Bylaw, the County may test Water and/or Wastewater streams located within a Residential or Commercial Premise, at a Test Manhole or at the discharge point where the Wastewater enters any Sanitary Sewer.
8. A single Grab Sample or a Composite Sample may be used to determine compliance with any provision of the Bylaw.
9. Any duly authorized employee of the County, or contractor engaged by the County, bearing proper credentials and identification may enter upon the easement area of any Premises which is subject to an easement in favour of the County for the purpose of, but not limited to, the inspection, observation, measurement, repair or maintenance of any portion of works lying within such easement area.

ENGINEERING COSTS

10. In any case under this Bylaw in which a Person is required to pay the cost of work to be done by the County, or a contractor engaged by the County, the cost shall include an engineering expense consisting of all the County's direct and indirect expenses arising out of such work including but not limited to reasonable out of pocket expenses such as travel, meals, etc..

RATES AND CHARGES

11. Unless otherwise provided, all Rates and Charges payable to the County for or in respect of the issuance of permits and other services provided by the County pursuant to this Bylaw shall be levied and paid in accordance with the provisions of this Bylaw, Schedule "A" to "G" inclusive, the Master Rates Bylaw, and other applicable Bylaws as amended from time to time.

NEW SERVICES

12. Each Service Connection shall be constructed and maintained by the Owner of the Premises on which it is located in accordance with the requirements of this Bylaw and the Regulations.
13. Each Utilities Main Connection shall be constructed under supervision of the County at the expense of the Owner of the Premise benefited by the Utility Service.
14. Application for connection of Water or Sewer Utility Services to a property shall be made by the Owner on the form prescribed by the County and it shall be accompanied by a site plan showing the size and location of the service and any other information required to appropriately design and install the service.
15. The cost of installation of a Utilities Main Connection as estimated by the Manager shall be paid by the Owner to the County prior to installation of the service.

GENERAL

16. The County shall remain the owner of all Utility Services and Utilities Main Connections unless the County and the Consumer have expressly agreed in writing otherwise. Any payment made by the Consumer does not entitle the Consumer to ownership, unless agreed in writing otherwise.
17. The County and the Consumer are subject to and shall comply with all applicable federal, provincial and municipal legislation, regulation, Bylaws, orders and requirements.
18. The Terms and Conditions contained in this Bylaw are governed by the laws of the Province of Alberta and the Federal laws of Canada applicable in the Province of Alberta. Any lawsuit arising in connection with the Terms and Conditions shall be brought in the courts of the Province of Alberta.
19. The Terms and Conditions of Utility Services contained in this Bylaw apply to all Utilities and to every Consumer, and to the relationship between the County and a Consumer.
20. A Consumer is deemed to have accepted the Terms and Conditions upon one of the following:
 - (a) The Owner's Application for the supply of Utility Services.
 - (b) The payment by or on behalf of a Consumer of an account by the County for Rates or Charges.
 - (c) Receipt by the Consumer of Utility Services supplied by the County.
21. The Consumer shall:
 - (a) pay all Charges and Rates for Utility Services performed by the County or its agents in accordance with this Bylaw;

- (b) adhere to the requirements of these Terms and Conditions;
- (c) be responsible for the condition and protection of all facilities on the Consumer's property. The Consumer shall be liable for any destruction of or damage to the County's Water Facilities or Wastewater Facilities located on the Consumer's property unless the destruction or damage is caused by the act of an agent or employee of the County.
- (d) not extend a Service Connection from one Lot to another without the prior written consent of the County.
- (e) at the request of the County, grant, or cause to be granted to the County, at the Consumer's expense, such easements or rights-of-way over, upon or under the property owned or controlled by the Consumer as the County reasonably requires for the construction, installation, maintenance, repair, inspection and operation of the facilities required for a service to the Consumer, and for the performance of all other obligations required to be performed by the County to maintain the Utility Services.

22. No Person shall:

- (a) remove, operate, alter any portion of the Utilities Services owned by the County, except an authorized agent or employee of the County. A Consumer shall be responsible for all damage to or loss of such property.
- (b) use the Utility Service in any manner that causes any interference or disturbance to any other Consumer's use of the Utility Services;
- (c) obstruct or impede free and direct access to any service, Water Main, Sanitary Sewer, or any other aspect of the Utility Services;
- (d) install or allow to be installed any temporary or permanent structures that could interfere with the proper and safe maintenance and operation of the Utility Services or result in any damage to the Water Main, Water Facilities, Sewer, Sewer Facilities, or a Utilities Main Connection.

23. A Consumer and the County may enter an agreement that provides for the waiver, alteration or amendment of any part of the Terms and Conditions provided that the agreement is in writing and executed by both parties.

24. Upon request the County shall provide to the Consumer information on the method and manner of installing services.

25. The County shall reasonably respond to a Consumer's request to attend a Permits, in order to minimize or rectify an actual or potential interruption to Utility Services. A Consumer shall pay the Charges for a Consumer's requested service call unless the source of the problem is caused by the County.

26. The County may without limitation act in response to governmental or civil authority directives, which may affect Utility Services. The Consumer agrees to cooperate with the County in order to comply with directives.

27. The County's Liability and Responsibility:

- (a) The County shall not be liable for any loss, injury, damage, expense, charge, cost or liability of any kind, whether of direct, indirect, special or consequential nature (except only as specifically provided for in this section) arising out of or in any way connected with any failure, defect, fluctuation, reduction or interruptions in the provision of Utility Services by the County to its Consumers howsoever caused.

- (b) The County shall be liable only for direct physical loss, injury or damage to a Consumer or Consumer's property resulting from the willful act of the County, its employees or agents in relation the provision of Utility Services to a Consumer.
- (c) For the purpose of defining the County's liability and restricting the generality thereof, "direct physical loss, injury or damage" shall not include loss of revenue, loss of profits, loss of earnings, loss of production, loss of contract, cost of capital and loss of use of any facilities or property or any other similar damage or loss whatsoever arising out of or in any way connected with the failure, defect, fluctuation, reduction or interruption in the provision of Utility Services to a Consumer.
- (d) Any claim filed by a Consumer for direct losses, damages, expenses, charges, costs or other liabilities must be filed with the County within 180 days from the date of the occurrence of the incident that is the subject of the claim, failing which the claim is deemed to be settled by continuation of the Utility Service.
- (e) The County shall not be liable for damages
 - 1. caused by the break or failure of any portion of the Wastewater Facilities or Water Facilities;
 - 2. caused by the interference or cessation of Utility Services in connection with the repair or proper maintenance of the Wastewater Facilities or Water Facilities; or
 - 3. generally for any accident or incident due to the operation of the Utility Services unless such costs or damages have been shown to be directly due to the willful act of the operating County or its employees.

Without limiting the generality of the foregoing the County is not responsible or liable for costs or damages that are based on nuisance. All limitations, protections and exclusions of liability contained in any provincial or federal legislation shall be applicable to and shall benefit the County in respect of any action brought or contemplated in respect of the provision of the Utility Services or anything else associated to these Terms and Conditions.

- (f) The County shall endeavor to provide regular and uninterrupted operations of the Utility Services as provided in the Terms and Conditions. However breaks to Sewers, Water Mains and other Water Facilities or Wastewater Facilities are inherent to the normal operation of the Utility Services. The right to discontinue Utility Services for any reason with or without notice is fundamental to these Terms and Conditions.
- (g) The County shall have the right to disconnect, interrupt or reduce Utility Services at any time:
 - 1. for making repairs or improvements necessary to facilitate construction, installation, maintenance, repair, replacement or inspection of any part of the Wastewater Facilities or Water Facilities;
 - 2. to restrict and regulate the use of Water for the purpose of conserving Water;
 - 3. to maintain the safety and reliability of the Utility Services;
 - 4. due to any other reason, including non-payment of Rates and/or Charges, emergencies, forced outages, Force Majeure or potential shortage or interference with the normal delivery of the Utility Service.

(h) The County will use reasonable efforts to:

1. provide notice of any Utility Service reduction or interruption;
2. minimize such interruption duration and occurrences;
3. schedule planned interruptions as much as possible at times convenient to Consumers.

28. Should the County be rendered unable (wholly or in part) by Force Majeure to carry out its obligation to supply Utility Services, the County's obligations so far as they are affected by Force Majeure shall be suspended. The County shall where practicable give notice of the occurrence of Force Majeure to Consumers affected.

29. Provision of Utility Services:

- (a) The County will provide all or any portion of the Utility Services listed in this Bylaw in accordance with these Terms and Conditions. All additional supplementary or commercial services provided by the County to a Consumer will be charged in accordance with the agreement between the parties. Payment for all Utility Services shall be in accordance with the provisions of these Terms and Conditions.
- (b) The County will restore extended service interruptions due to breaks of Water Mains or Sanitary Sewers, plugged or collapsed Water Mains or Sanitary Sewers or other reasons as soon as practically possible.
- (c) The County will maintain and repair the Utility Services at no direct charge to the Consumer unless the damage is due to Consumer negligence or intentional damage.
- (d) When the County performs a repair on the Utilities Main Connection that affects a Consumer's property, the County will return the property to original or similar to original condition.
- (e) The County, or agent of the County, will own, install and maintain all Water Meters and measuring devices, unless such Meters and measuring devices were installed by the Consumer for his own purposes.
- (f) The County will provide for construction and testing of all Utilities Main Connections, and connection and disconnection in accordance with these Terms and Conditions and at Rates and Charges provided for in this Bylaw.
- (g) The County will endeavor to provide a continuous supply of Utility Services. However a continuous supply of Utility Services is not guaranteed.
- (h) In the case of extended service interruptions, the County will make reasonable efforts to supply Utility Services to Consumers or groups of Consumers through alternative means.
- (i) The County is not responsible for the effects of Force Majeure events.
- (j) The County is not responsible for changes to the characteristics or properties of the Water as a result of complying with Health Canada standards. The County is not responsible for any resulting changes to any facility, process or production or cost impacts upon Consumers or their business as a result of such measures.
- (k) The County shall not be responsible for any damage (on property), loss or injury of any nature or resulting directly or indirectly from the installation of a Service Connection, unless such costs, losses or damages have been shown to be directly due to a willful act of the County or its employees.

- (l) The Consumer shall take all necessary measures to prevent damage to a Service Connection due to any cause, including settlement of the structure or ground through which the pipe passes.
 - (m) Where a service passes through disturbed ground, the obligation of the County to construct does not include the incremental construction costs required to stabilize the service, and bring the disturbed ground to a stable state. The Consumer may be required to pay all additional construction costs including the costs of any required support system.
30. Any Person who requires Utility Services shall make Application to the County on such form as shall be utilized by the County from time to time and shall pay to the County the Application Charge set forth in Schedule "D".
31. Upon the acceptance of the Application, the Utility Account shall be set up in the name of the Applicant.
32. There shall be a separate Utility Account with respect to each Meter.
33. The Application shall be supported by such evidence of the identity of the Applicant and status of the Applicant to make the Application as the Manager may require.

DEPOSITS

34. Subject to agreement otherwise, an Applicant may at the time of Application be required to pay a Deposit as follows:
- (a) Residential Consumer - The amount set pursuant to the provisions of Schedule "D";
 - (b) Non-Residential Consumer - The amount set pursuant to the provisions of Schedule "D" or the amount estimated by the Manager to be the cost of supply of Utility Services to the Premises over a THREE (3) month period, whichever is greater.
35. Notwithstanding Section 30 of this Schedule:
- (a) an Applicant opening a new Utility Account who is indebted to the County for Utility Services previously supplied will not be allowed to complete his Application, or be entitled to receive Utility Services, until payment of the outstanding account and any Deposit required in accordance with Section 34 of this Schedule;
 - (b) an Applicant opening a new Utility Account due to a change of residence within the County shall be charged the same Deposit as required for his/her previous Utility Account, subject to the increased Deposit provisions of Section 36 of this Schedule;
 - (c) the Manager may waive the requirement of a Deposit under Section 34 of this Schedule for a Residential Consumer who has been established for at least TWELVE (12) months in the County and the Consumer's Utility Account or accounts was, or were, maintained in good standing;
 - (d) the Manager may waive the requirement of a Deposit under Section 34 of this Schedule for a Non-Residential Consumer who has been established at least TWENTY-FOUR (24) months in the County and the Consumer's Utility Account or accounts was, or were, maintained in good standing;
 - (e) if a Consumer has an existing Utility Account that is not in arrears, and for which no Deposit is being held, then if Application is made for another Utility Service in the same name and of the same type, the Manager may waive the requirement for a Deposit.

36. Notwithstanding Sections 34 and 35 of this Schedule, if:

- (a) payment of the Utility Invoice is in arrears;
- (b) the Utility Service to a Premises has been shut off for non-payment of the Utility Account;
- (c) a cheque received for payment of the Utility Invoice has been returned by the financial institution on which it is drawn marked with words indicating that the cheque has not been honoured;
- (d) the Applicant wishes to set up the Utility Account in any name other than that of the Owner of the Premises (subject always to the discretion and acceptance by the Manager); or
- (e) an Applicant's previous Utility Account or other current Utility Account has not been maintained in good standing;

then, in addition to paying any arrears of County Rates or Charges, the Applicant may be required to pay an additional Deposit equal to the amount estimated by the Manager to be the cost of supply of Utility Services to the Premises over a THREE (3) month period.

INTEREST ON DEPOSITS

37. Interest shall be paid on a Deposit at the Rate set pursuant to the provisions of Schedule "D" calculated from the date of payment of the Deposit to the date that the Deposit is refunded to the Consumer or applied towards payment of County Charges.

REFUND OF DEPOSITS

- 38. If a Residential Consumer has paid all Utility Invoices rendered to such Consumer on or before the due dates stated in such invoices for a period of TWELVE (12) consecutive months, the Deposit or Deposits paid by such Consumer pursuant to Sections 34 and/or 36 of this Schedule shall be refunded, together with interest as provided in Section 37 of this Schedule.
- 39. If a Non-Residential Consumer has paid all Utility Invoices rendered to such Consumer on or before the due dates stated in such invoices for a period of TWENTY-FOUR (24) consecutive months, the Deposit or Deposits paid by such Consumer pursuant to Sections 34 and/or 36 of this Schedule shall be refunded, together with interest as provided in Section 37 of this Schedule.
- 40. If refundable pursuant to this Section, or upon termination of the supply of Utility Services, a Deposit shall be returned to a Consumer together with interest as provided in Section 37 of this Schedule, after deducting therefrom all outstanding Charges for the supply of Utility Services, including the cost of Shut-Off or discontinuing any Utility Service for non-payment of Utility Accounts.

WATER

- 41. The County may levy and Consumers shall pay for Water supplied by the County at the Rates set pursuant to the provisions of Schedule "D" hereto.
- 42. In case of a dispute, the Manager shall determine the Rate established pursuant to the provisions of Schedule "D" which is applicable to a particular Consumer.
- 43. The amount payable by a Consumer shall be determined by reference to the reading of the Meter supplied to such Consumer. If for any reason a Meter cannot be read, the Manager may estimate the flow of Water based on usage during the same period in the previous year, or on the past 3 months if the previous year's usage is not available, and render an account in accordance with such estimate.

44. Notwithstanding the foregoing, each Meter shall be read by the County at least once in each year and, failing that as a result of the Consumer's actions or inactions, after providing not less than thirty (30) days' prior written notice, the Manager may Shut-Off the Water supply to such Meter until such time as the County is able to read the same.

SEWER SERVICE

45. The County may levy and Consumers shall pay for Wastewater collected and disposed of by the County at the Rates set pursuant to the provisions of Schedule "D" hereto.
46. In case of a dispute, the Manager shall determine the Rate established pursuant to the provisions of Schedule "D" which is applicable to a particular Consumer.
47. Where the supply of Water to the Premises is metered, the amount payable by a Consumer for Wastewater may be determined in part by reference to the reading of the Water Meter supplied to such Consumer. If for any reason a Meter cannot be read, the Manager may estimate the flow of Water based on usage during the same period in the previous year, or on the past 3 months if the previous year's usage is not available, and render an account in accordance with such estimate.

EFFECTIVE DATE

48. The terms, Rates and Charges provided in this Bylaw for the provision of Utility Services shall come into effect on the date this Bylaw comes into force.

UTILITY ACCOUNTS

49. The Utility Account for all or any of the Utility Services shall be set-up in the name of:
- (a) the Owner of the Premises serviced by one or more of the Utility Services; or
 - (b) with the approval of the Manager, a bulk Consumer on behalf of two (2) or more Owners receiving service through a single Utilities Main Connection and/or Meter.
50. The County shall start charging an Owner as soon as the final building permit inspection of the Premises is done or a permit to occupy has been issued by the County. In the absence of such, the start date for charging will be based on the possession date of the Owner or any other Occupant, as the case may be.
51. Notwithstanding the occupation of any Premises by tenants or renters, Utility Services will be the responsibility of the Owner of the Premises and the Owner shall be directly responsible for the Utility Account.
52. Any Premises that has been issued an occupancy permit by the County but remains unoccupied shall still be charged in accordance with the Rate and Charges.
53. All Rates and Charges are due and payable as of the billing date. Payment can be made at the County office by cheque, direct deposit, on-line banking, and credit card, or by a pre-authorized payment plan.
54. Any fees, Charges or payment penalties owing by the Owner of Premises and remaining unpaid for a period of sixty (60) days after the billing date will be made a charge against or lien upon the Premises serviced by the County, and in this event, the charge or lien so made will be subject to the same penalties and shall be collected by the same procedure as property taxes levied by the County, where applicable. Where permissible pursuant to the ***Municipal Government Act***, all outstanding fees, Charges or payment penalties will be transferred to the County tax roll for the subject Premises.

55. Notwithstanding Section 54 of this Schedule, where the Chief Administrative Officer or Manager has reasonable grounds to believe that the subject Premises are or will be offered for sale or are or will otherwise be subject to a form of transfer of ownership to another Person, any unpaid fees, Charges or payment penalties imposed pursuant to this Bylaw and owing by the Owner of the Premises may be transferred to the County tax roll for the Premises immediately upon any of these amounts going into arrears.
56. All new Consumers shall pay to the County a one-time administration fee, for the purpose of opening the Utility Account, as set out in Schedule "D" of this Bylaw.
57. All Rates and Charges payable hereunder shall be paid to the County within the time prescribed by this Bylaw.
58. The Utility Invoice is due and payable when rendered and, if not paid on the due date stated on the invoice, is deemed to be in arrears. Failure to receive the Utility Account does not relieve a Consumer of liability for payment.
59. If a Consumer shall only partially pay the Utility Invoice, all monies paid shall, notwithstanding any contrary direction by the Consumer, be applied towards payment of the amount due under such invoice in the following order:
 - (a) Deposits;
 - (b) penalties;
 - (c) arrears of Charges for all Utility Services;
 - (d) current Wastewater Charges;
 - (e) current Water Charges.
60. If a Consumer fails to pay the Utility Invoice prior to or on the due date stated therein, or such later due date as may be approved by the Manager, such Consumer shall pay a late payment interest charge of 3% per month of the current Charges invoiced, or as otherwise set out in the Master Rates Bylaw. Payments made by mail or at a financial institution must be received by the County on or before the due date in order for a Consumer to avoid such interest charge.
61. If any Rate or Charge for the provision of Utility Services is designated by reference to a specific period of time, the cost for a lesser period of time shall be calculated on a proportionate basis.
62. If a Consumer is in arrears in payment of any Rates or Charges imposed pursuant to this Bylaw, the Manager may enforce payment by all or any of the following procedures:
 - (a) action in any court of competent jurisdiction;
 - (b) Shut-Off or discontinuing any Utility Service being supplied to such Consumer after providing not less than five (5) business days' written notice; and/or
 - (c) enforcing Court judgement against the Consumer by distress and sale of the goods and chattels of such Consumer wherever such goods and chattels may be found in the County.

WAIVER

63. The Manager may waive any penalty Rate or Charge imposed or levied under this Bylaw if, in the circumstances, the Manager is of the view that doing so is just and equitable.

EXTENSION OF SERVICE AREA

64. Subject to the provisions of this Bylaw, the County shall provide Utility Services within the boundaries of the County as follows:

- (a) The County shall continue to supply Utility Services to all areas of the County that received Utility Services from the County prior to the effective date of this Bylaw.
- (b) Where the County authorizes new development or subdivision for Premises that have not previously been serviced by Utility Services, in accordance with the County's Servicing Standards, the County will ordinarily require the Owner or Developer, as a condition of subdivision or development approval, to connect into the Utility Services at the Owner's or Developer's expense which may include any or all of the following: construction of Water Mains and/or Sewers, Service Connections, and related appurtenances to the satisfaction of the County. Upon issuance of the Construction Completion Certificates for the Water Mains and/or Sewers, Service Connections, and appurtenances and compliance with this Bylaw, the County shall provide Utility Services to the subject property according to the Terms and Conditions of this Bylaw including opening of the Utility Account and payment of applicable Rates and Charges, where the County is able to do so.
- (c) The County may agree to supply Utility Services to Premises that have not previously been serviced by Utility Services, in the absence of new development or subdivision, upon the request of the Owner and the Owner constructing or paying for Water and Sewers, services and related appurtenances.
- (d) Notwithstanding the above, the County will provide Utility Services at the request of the Owner except in circumstances where the County is unable to provide Utility Services for reasons including:
 - 1. capacity limitations of the Water Mains, Water Facilities, Sewers, or Sewer Facilities;
 - 2. operational limitations of the Utility Services;
 - 3. damage to the Water Mains, Water Facilities, Sewers, or Sewer Facilities;
 - 4. contractual restrictions;
 - 5. restrictions resulting from applicable federal, provincial or County legislation, bylaws, regulations or directives.

SCHEDULE "B"**TERMS AND CONDITIONS OF SERVICE– WASTEWATER SERVICES****USE OF PUBLIC SEWER****1. Restricted Discharge**

- 1.01** No Person shall discharge into any Storm Sewer or Natural Outlet within the County or in any area under the jurisdiction of the County any Wastewater or other Polluted Wastes.
- 1.02** No Person shall discharge any treated or untreated water, Wastewater or other Polluted Wastes into the Wastewater Facilities unless through an approved connection complying with the provisions of this Bylaw and the Regulations.

2. Installation and Connection of Toilet Facilities

Where required by development permit, subdivision approval, County servicing standards or a government authority having jurisdiction, the Owner of each house or other building used for human occupancy, employment, recreation or other purpose located on property lying along the line of any Sanitary Sewer shall install suitable toilet facilities therein and connect such facilities directly with the Sanitary Sewer.

3. Restricted Facilities

Except as permitted by this Bylaw (including, without restriction, pursuant to Sections 4 to 8, inclusive, of this Schedule), or the Regulations, no Person shall construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the collection or disposal of Wastewater.

PRIVATE WASTEWATER DISPOSAL**4. Sanitary Sewer Not Available**

With the exception of Premises which come within the scope of Section 2 of this Schedule or Premises which are not located along the line of any Sanitary Sewer, the toilet facilities in any house or other building on such property shall be connected to a Private Wastewater Disposal System complying with the provisions of this Bylaw and the Regulations, as well as the requirements of any applicable subdivision or development approval or permit applicable to the said property.

5. Requirements for Private Wastewater Disposal

- 5.01** The type, capacity, location, and layout of a Private Wastewater Disposal System shall comply with all requirements of the Alberta Private Sewage Disposal Regulations or the Regulations (as applicable) and all code requirements contemplated thereunder, and all County requirements.
- 5.02** No Private Wastewater Disposal System shall discharge to any Storm Sewer or Natural Outlet.

6. Connection to Sanitary Sewer and Remediation of Private Wastewater Disposal System

Where connection to Sanitary Sewer is required by development permit, subdivision approval, County Servicing Standards or a government authority having jurisdiction, any existing Private Wastewater Disposal System shall be abandoned, cleaned of sludge and filled with dirt or pit-run gravel, or removed and replaced with fill material approved by the Manager at the Owner's expense.

7. Operation of Private Wastewater Disposal

The Owner of a property shall at all times operate and maintain in a sanitary manner any Private Wastewater Disposal System located on such property, and in compliance with all Regulations and all laws.

8. Hauling Wastewater for Treatment

Every Person delivering Wastewater to any Sanitary Sewer, Wastewater Facilities and Wastewater Treatment Plant for treatment shall:

- 8.01** ensure that the Wastewater delivered does not include any Prohibited Wastes or any wastes in excess of that permitted in this Bylaw or any Polluted Wastes as described in Section 26 of this Schedule;
- 8.02** prior to disposal of the Wastewater:
 - (a)** provide for the weighing or other measuring of material being disposed of in a manner as the County may require;
 - (b)** provide such information with respect to the Wastewater as the County may require; and
 - (c)** permit samples of the Wastewater to be taken and analyzed;
- 8.03** comply with all of the rules and regulations of the County with respect to the disposition of the Wastewater;
- 8.04** pay the Rates and the Charges as set by the County from time to time; and
- 8.05** discharge the Wastewater only at the designated locations at any Wastewater Facilities or the Wastewater Treatment Plant.

SEWER SERVICE CONNECTIONS**9. Approval**

Unless authorized by the Manager, no Person shall uncover, make any connection with or opening into, use, alter, or disturb any Sanitary Sewer or appurtenance thereof.

10. Maintenance of Service Connections

- 10.01** The County shall maintain Utilities Main Connections from a Sanitary Sewer to the property line at the County's expense.
- 10.02** The Owner of a Premises shall maintain the Service Connection from the property line to the main Cleanout, at the Owner's expense.

11. Abandonment of Service Connections

- 11.01** The Manager may declare a Service Connection abandoned if:
 - (a)** use of the Service Connection is discontinued for six (6) consecutive months or more;
 - (b)** there is no building on the Premises and no building is currently being constructed; or
 - (c)** there is no Utility Account in respect of the Premises.

- 11.02** Where the Manager has declared a Service Connection to be abandoned, the Manager may require the Owner to take any steps that the Manager considers necessary or desirable for the closure or removal of the Service Connection.
- 11.03** If any Sanitary Sewer connection is abandoned, the County shall, at the Owner's expense, effectively block up such connection at a suitable location within the Owner's property so as to prevent Wastewater backing up into the soil, or dirt being washed into the Sanitary Sewer.

12. Separate Service Connection Required

A separate Service Connection shall be provided for every building except that, if a new building is constructed at the rear of an existing building and, in the opinion of the Manager, it is not practicable to construct a separate Service Connection to the new building, the Service Connection to the existing building may be extended to the new building.

13. Re-use of Service Connections

- 13.01** An existing Service Connection may only be used to provide service to a new building with the Manager's approval.
- 13.02** Under no circumstances will any Person be allowed to re-use a No-Corrode Service Connection to provide service to a new building.
- 13.03** The County shall be responsible for all costs incurred in constructing a new Utilities Main Connection if the old pipe is deemed unacceptable for reuse, and no upsizing of the pipe is required.
- 13.04** The Owner of a Premises shall be responsible for all costs incurred by the County in constructing a new Utilities Main Connection where upsizing of the old pipe is required.
- 13.05** The Owner of a Premises shall be responsible for all costs incurred by the County in constructing a new Utilities Main Connection to Premises that were not previously serviced or where additional Utilities Main Connections are required.

14. Requirements for Service Connection

- 14.01** The size, slope, alignment and materials used in construction of a Service Connection and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the Regulations in the case of the private Service Connection and the Design Manual and the Construction Manual in the case of the Utilities Main Connection.
- 14.02** In the absence of applicable provisions in the Regulations, the materials and procedures set forth in standards published by the American Society of Testing and Materials, the Canadian Standards Association and American Water Works Association shall apply.
- 14.03** A Service Connection from the main Cleanout to the Sanitary Sewer shall have a minimum diameter of 100mm.

15. Wastewater Lifting Required

- 15.01** Whenever practicable, a Service Connection shall be brought to a building at an elevation at least 1.8 meters below finished grade level.
- 15.02** In any buildings in which a Floor Drain, Garage Drain, or other Fixture permitted to be connected to a Sanitary Sewer is too low to permit gravity flow to the Sanitary Sewer,

Wastewater carried by such Fixtures shall, at the Owner's expense, be lifted by means approved by the County and discharged to the Service Connection and the Sanitary Sewer.

16 Restricted Connections to Sanitary Sewer

- 16.01** No Person shall connect any Storm Drain to any Sanitary Sewer nor any Service Connection which in turn is connected directly or indirectly to any Sanitary Sewer.
- 16.02** Unless permitted by the Manager pursuant to this Schedule, no Person shall:
- (a) connect any roof downspout, Weeping Tile, Foundation Drain or Areaway Drain; or
 - (b) collect or direct other sources of surface runoff or ground water;
- to a Sanitary Sewer or to a Service Connection which in turn is connected directly or indirectly to any Sanitary Sewer.

17 New, Altered and Expanded Connections

- 17.01** No Person shall:
- (a) make, install, alter or expand, remove, or allow the making, installation, alteration, expansion or removal of any Service Connection to a Sanitary Sewer;
 - (b) increase the volume of Wastewater being discharged into the Sanitary Sewer;
 - (c) alter the composition of Wastewater being discharged into the Sanitary Sewer; or
 - (d) commence, re-commence, alter or expand any industrial or commercial activity which results in discharge of Wastewater to the Sanitary Sewer,
- without first having obtained prior written approval from the Manager in accordance with this Bylaw.
- 17.02** The Owner shall make written Application to the Manager requesting approval for the following:
- (a) the installation, alteration, expansion, or removal of a Service Connection to a Sanitary Sewer,
 - (b) an increase of the volume of Wastewater being discharged into Sewer,
 - (c) altering the composition of Wastewater being discharged into Sewer, or
 - (d) commencing, re-commencing, altering or expanding any industrial or commercial activity which results in discharge of Wastewater to the Sanitary Sewer
- by submitting an Application to the Manager.
- 17.03** The Application of the Owner of Commercial Premises shall include a report certified by a Professional Engineer indicating:
- (a) the daily volumes and peak discharges of Wastewater from the Commercial Premises;
 - (b) a description of the industrial or commercial activity to be carried on within the Commercial Premises including the particulars of any alteration, expansion or addition;
 - (c) the anticipated:

- (i) Biochemical Oxygen Demand;
- (ii) Total Suspended Solids;
- (iii) Fats, Oil and Grease;
- (iv) Total Phosphorus; and
- (v) Total Kjeldahl Nitrogen

in the Wastewater to be discharged from the Commercial Premises;

- (d) the type of waste to be processed or discharged on or from the Commercial Premises including information as to whether or not any Prohibited Waste or Restricted Waste is included in such waste;
 - (e) the proposed pre-treatment, flow equalization or mixing facilities to be utilized on the Commercial Premises;
 - (f) the location of Test Manholes for Wastewater to be discharged from the Commercial Premises;
 - (g) the monitoring equipment to be utilized on the Commercial Premises; and
 - (h) such other information as the Manager may request.
- 17.04** The Manager may allow an industrial or commercial activity to be commenced, re-commenced, altered or expanded and a connection to be made without receipt of the report referred to above if the Manager is satisfied on the basis of the information available that the proposed activity will not have an Adverse Effect on a Sanitary Sewer.
- 17.05** Where in the opinion of the Manager any source connected to a Sanitary Sewer may produce Wastewater in contravention of this Bylaw, the Manager may order the testing of the characteristics and concentrations of a Wastewater being discharged.
- 17.06** Should any testing undertaken pursuant to the above provisions disclose that a Wastewater concentration is not in compliance with the Bylaw, the Manager may direct the Owner from which the Wastewater originates to:
- (a) comply with this Bylaw, and the Owner shall forthwith take all action necessary to ensure that the Wastewater complies with the requirements of the Bylaw;
 - (b) install, utilize and maintain such monitoring equipment as the Manager or Council deems necessary at the Owner's expense;
 - (c) provide the results of such monitoring to the Manager.
- 17.07** The Owner or Person responsible for the development of the lands shall be responsible for the construction of all private drainage systems and Service Connections, which shall be constructed of approved materials and in accordance with the County's Design Manual and Construction Manual and:
- (a) shall ensure that all Service Connections receive approval from the County prior to construction; and
 - (b) shall not backfill the excavation until after the County has inspected the work or has advised that it will not require inspection.

18 Protection of People and Property

- 18.01** All excavations for works required or permitted by this Bylaw shall be adequately guarded with barricades, lights and other warning devices adequate to protect the public.
- 18.02** If so required by the Manager, the Owner of a Premises, or any Person engaged in construction of such works, shall immediately provide such additional barricades, lights and other warning devices or safety precautions as the Manager shall deem appropriate.
- 18.03** Roads, parklands, and other public property disturbed in the course of such works shall be restored in a manner satisfactory to the Manager.

19 Roots

- 19.01** Tree roots infesting a Service Connection shall be the responsibility of the Owner of the property containing the Service Connection.
- 19.02** Tree roots infesting a Utilities Main Connection or a Sanitary Sewer shall be the responsibility of the County.
- 19.03** The proximity to a Service Connection of a tree or trees contributing to the root infestation shall have no bearing on the responsibility of a party to clear the blockage.

20 Root Foaming

No Person shall chemically treat tree roots in a Service Connection without the Manager's approval.

21 Video Inspection or Electronic Line Location

Where a dispute exists as to the responsibility for Sewer Utility Service failures or blockage, a video inspection or an electronic line location may be performed in an attempt to determine the location of the problem. All costs associated with such determination shall be borne by the party responsible for maintaining the portion of the Service Connection, Utilities Main Connection, or Sanitary Sewer as the case may be, where the problem is found to exist.

22 Service Calls

Prior to the County doing any service repairs at a Consumer's request, the Consumer requesting the same shall sign a service call log authorizing the County to make the necessary repairs and invoice the cost in accordance with the Charges as outlined in Schedule "D".

23 Cleanouts

- 23.01** A Service Connection that is connected to a Sanitary Sewer shall be equipped with a main Cleanout with a minimum diameter of 100mm, located not more than 25 meters from the Sanitary Sewer. The main Cleanout shall be located as close as practicable to the point where the Sewer Service Connection leaves the building and in such a manner that the opening is readily accessible and has sufficient clearance (minimum 2 meters horizontally and vertically) for effective rodding, cleaning and video inspection. The Service Connection from the main Cleanout to the property line shall be as straight as possible, and, in any case, the angular sum of all bends installed shall not exceed 135 degrees and it shall not contain a 90-degree elbow.
- 23.02** Generally, the main Cleanout shall be located inside the foundation of a building. If sufficient clearance cannot be provided inside the building, the main Cleanout shall be installed outside the building and as close as practicable to the foundation.

- 23.03** All main Cleanouts shall be a wye fitting and shall be usable and accessible.
- 23.04** No Person shall enclose the main Cleanout in or under partitions, walls or flooring or in any way restrict access to same.
- 23.05** Main Cleanouts installed in a horizontal position below floor level shall be enclosed in an access box.

PROHIBITED/RESTRICTED DISCHARGE

24 Discharge of Uncontaminated Water

No Person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial water to any Sanitary Sewer, except with the approval of the Manager which may be given in a situation where exceptional conditions prevent compliance with this Section, in which case a Rate shall be levied at the Rate set pursuant to the provisions of Schedule "D" for amounts applied to the volume of water estimated by the Manager to have been discharged into the Sanitary Sewer.

25 Discharge of Storm Water

Storm water and all other drainage shall not be discharged into the Sanitary Sewer or Wastewater Facilities.

26 Polluted Wastes

No Person shall discharge, or cause or permit to be discharged, any Wastewater containing Prohibited Waste or Restricted Waste into any Sanitary Sewer. Without restricting the foregoing, no Person shall discharge, or cause or permit to be discharged, any of the following described Wastewater or wastes into any Sanitary Sewer:

- 26.01** any garbage that has not been shredded so as to pass through a 6mm sieve and is not specifically prohibited in this section;
- 26.02** any water or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not;
- 26.03** pollutants, other than those listed in Schedule "E" or Schedule "F", prohibited from being discharged under any Federal or Provincial legislation;
- 26.04** any waters or wastes containing phenols or other taste or odour producing substance, in such concentration as to exceed limits which may be established by the Manager as necessary, after treatment of the Composite Wastewater, to meet the requirements of any Provincial, Federal, or other public agencies having jurisdiction;
- 26.05** wastes which contain, exert, or cause:
 - (a)** unusual concentration of inert Suspended Solids, including but not limited to fullers earth, Lime Slurries, and Lime Residue, or of dissolved solids, including but not limited to sodium chloride and sodium sulphate;
 - (b)** excessive discoloration, including but not limited to dye, wastes and vegetable tanning solutions;
 - (c)** unusual B.O.D., C.O.D., or chlorine requirements in such quantities as to constitute, in the opinion of the Manager, a significant load on a Wastewater Treatment Plant; and

- (d) unusual volume of flow or concentration of wastes constituting a Slug;
- 26.06 waters or wastes containing substances which are not amenable to treatment or reduction by the Wastewater treatment processes employed by the County, or are amenable to treatment only to such degree that a Wastewater Treatment Plant effluent cannot meet the requirements of other agencies having jurisdiction;
- 26.07 any noxious or malodorous gas or substance capable of creating a public nuisance including, but not limited to, hydrogen sulphide, Mercaptans (Thiols), carbon disulphides, other reduced sulphur compounds, amines and ammonia.

27 Rejection of Polluted Wastes

If any waters or wastes are proposed to be discharged from a Premises to a Sanitary Sewer, which contain any substance or possess the characteristics of any substance enumerated in section 26 or any other substance which, in the opinion of the Manager, would have a deleterious effect upon the Wastewater Facilities or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Manager may:

- 27.01 reject the waters or wastes;
- 27.02 require pre-treatment to an acceptable condition for discharge to the Sanitary Sewers;
- 27.03 require control over the quantities and rates of discharge; and/or
- 27.04 require payment by the Consumer to cover the added cost of handling and treating the wastes not covered by existing Wastewater Rates or other Charges under the provisions of this Bylaw. If the Manager permits the pre-treatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Manager, and to the requirements of all applicable codes, statutes, Bylaws and Regulations.
- 27.05 If preliminary treatment of Wastewater or flow-equalizing equipment is required by the County, the necessary facilities shall be provided by and maintained in satisfactory and effective operation by the Owner at the Owner's expense.

28 Interceptors

- 28.01 Interceptors shall be provided for all garages, restaurants, automotive service stations and vehicle and equipment washing establishments and for other types of business when required by the Regulations or, in the opinion of the Manager, such Interceptors are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, mud or other harmful ingredients.
- 28.02 All Interceptors shall be of a type and capacity which conform to the Regulations and shall be located so as to be readily and easily accessible for cleaning and inspection.
- 28.03 All Interceptors shall be maintained at all times in satisfactory and effective operation by the Owners of the properties on which they are installed at the Owner's expense.
- 28.04 All Interceptors shall be connected to the Sewer unless the Manager shall otherwise stipulate.
- 28.05 If the drainage system in any new commercial or industrial building includes an Interceptor, then a Control Manhole is required.

- 28.06** Garage Drains connected to a Sanitary Sewer, or a Service Connection which is in turn connected to a Sanitary Sewer, must have a mud Interceptor of sufficient size and design to effectively trap solids.

29 Control Manhole

- 29.01** If required by the Manager, the Owner of any property serviced by a Service Connection shall, at the Owner's expense, install and maintain a suitable Control Manhole and other necessary appurtenances to facilitate observation, sampling, and measurement of the Wastewater quality, temperature, rate of flow and other characteristics.
- 29.02** Any such Control Manhole shall be located wholly on Private Property and constructed in accordance with the Construction Manual and maintained so that it is accessible and in good condition at all times.
- 29.03** If a Control Manhole does not exist on a Premises, the Control Manhole for that Premises shall be deemed to be the manhole in the Sanitary Sewer which is downstream of and nearest to the point at which the Service Connection servicing the Premises is connected to the Sanitary Sewer.

30 Test Manholes

- 30.01** A Consumer who carries on an industrial or commercial activity on Commercial Premises which is or will be connected to a Sanitary Sewer, shall provide to the County, at no cost to the County, Test Manhole(s) for the testing of Wastewater from the Commercial Premises.
- 30.02** The Test Manholes will be constructed in accordance with the applicable Design Manual and/or Construction Manual as established, amended or replace from time to time.
- 30.03** The purpose of the Test Manhole is to achieve a discreet Wastewater stream of the Commercial Premise. The Test Manhole shall not be used as collection manhole with multiple Premises discharging into it.
- 30.04** The Test Manhole shall be:
- (a) located on the Commercial Premises unless the County allows an alternative location;
 - (b) constructed and maintained at the expense of the Owner of the Commercial Premises;
 - (c) accessible at all times by the County (accessible includes access by a vehicle);
 - (d) constructed in accordance with the County's Construction Manual; and
 - (e) maintained to ensure access and structural integrity.
- 30.05** The Test Manhole must not be:
- (a) in a parking spot;
 - (b) in a high traffic area;
 - (c) on a steep bank;
 - (d) covered or surrounded by landscaping; or
 - (e) located where a vehicle cannot approach directly over the Test Manhole;

- 30.06** If a Test Manhole has not been installed at a Commercial Premises on which an industrial or commercial activity is occurring, or if the Test Manhole provided is not accessible to the satisfaction of the Manager for the purpose of testing the Wastewater the Manager may give notice in writing, requiring the Owner to:
- (a) construct and install the required Test Manhole in a location that does not conflict with the location of onsite storm water management infrastructure,
 - (b) construct and install the required Test Manhole within 30 days of receiving the notice, or as required by the Manager; or
 - (c) pay the County that amount of money that the Manager deems necessary to cover the cost of constructing and installing a Test Manhole, which amount will be paid within 30 days of receiving the notice or as required by the Manager.

31 Standards for Sampling and Analysis of Wastes

- 31.01** All sampling, measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this Bylaw shall be determined in accordance with Standard Methods and the Methods Manual for Chemical Analysis of Water and Wastes published by the Alberta Environmental Centre, Vegreville, Alberta, 1996, AECV96-M1, as amended.
- 31.02** Sampling shall be carried out using customarily accepted methods to determine the effect of constituents upon the Wastewater Facilities and whether there exists a hazard to persons or property. The initial analysis of the discharge from a Premises will determine whether a twenty-four (24) hour Composite Sample of all discharge from such Premises is sufficient. If practicable, the B.O.D. and Suspended Solids analysis will be obtained from 24-hour Composite Samples of all discharges whereas the PH will be determined from periodic Grab Samples.

32 Protection From Damage

No Person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the County.

33 Sewer Service Surcharge

- 33.01** Any Residential Premises or Commercial Premises where Wastewater is released that contains one or more constituents that is considered Overstrength Wastewater will be subject to a Sewer Utility Service surcharge.
- 33.02** Sampling for the Sewer Utility Service surcharge program shall be performed as two separate sampling events. The results of each constituent from the two sampling events will be averaged and the averaged value will be used in the surcharge calculation.
- 33.03** An Autosampler will be used whenever possible, however if the use of an Autosampler is not possible then manual Grab Samples may be used to calculate a surcharge factor. Grab Samples procedures for the Sewer Utility Service surcharge program is as follows:
- (a) a minimum of 4 single Grab Samples per sampling event must be used with at least one hour between Grab Samples but not more than 24 hours;
 - (b) results from the two sampling events will be averaged and the average value will be used in the surcharge calculation;

- (c) all Grab Samples must be of the same volume and taken at the same location; and
 - (d) the Grab Samples for each sampling event will be composited and treated as one sample.
- 33.04** The surcharge factor will be recalculated monthly based on the Water consumption or on Wastewater Meter values if Water consumption data is not available.
- 33.05** The Sewer Utility Service surcharge will remain in effect until the next sampling event. Sampling of a Residential Premises or Commercial Premises for the purpose of the Sewer Utility Service surcharge program will occur no less than four (4) months from the previous sampling period. However this does not apply to sampling or monitoring for compliance with this Bylaw.
- 33.06** In the event that a common Sewer service exists where more than one Premises or Consumer's Wastewater mixes upstream or enters a common manhole and a discrete sample is not possible, the surcharge factor will apply to all Premises or Consumers whose effluent is discharged to that common manhole.
- 33.07** Notwithstanding the forgoing, if a Residential Premises or Commercial Premises experiences an abnormally high surcharge, or makes changes to the pre-treatment system that significantly reduces the effluent strength, at the discretion of the Manager, a request to re-sample the Premises and, if warranted, make an adjustment to the surcharge factor can occur prior to the expiration of the minimum four month period.
- 33.08** If a Consumer requests an adjustment to the surcharge factor as noted above, the Consumer must provide in writing to the Manager:
- (a) a request for review of the surcharge factor;
 - (b) justification for the review including all relevant documentation; and
 - (c) details on changes to or new installation of a pre-treatment system or new procedures and policies that would result in a significant and permanent reduction in the effluent strength.
- 33.09** Prior to a surcharge adjustment being approved by the County the Consumer must wait for a minimum of 2 new surcharges (8 months) to be calculated. The new surcharge values must be consistently and significantly lower than the requested adjustment surcharge Rate for an adjustment to occur.

HAULED WASTEWATER

34 Restrictions

- 34.01** No Person shall discharge Hauled Wastewater at any location other than at a Wastewater Facility approved by the County and Alberta Environment and Parks for receipt of Hauled Wastewater, unless prior approval is given by the Manager or by Alberta Environment and Parks.
- 34.02** No Person shall discharge hauled storm water, or Hauled Wastewater at a Wastewater Facility approved by the County for receipt of Hauled Wastewater without prior approval having been given by the Manager or, when and if implemented by the County, a current Hauled Wastewater Permit having been issued by the County for each vehicle used for hauling.

35 Hauled Wastewater Approval or Permits

- 35.01** An approval of the Manager or, when and if implemented by the County, a Hauled Wastewater Permit can be obtained from the County and may be subject to an application fee as set in the Master Rates Bylaw.
- 35.02** A copy of the approval of the Manager or the Hauled Wastewater Permit, as the case may be, must be in the vehicle at all times and be surrendered to a County employee or designate upon request.

36 Operating Requirements

- 36.01** All loads received at a Wastewater Facility will be subject to a discharge fee based on the legal capacity of the vessel on a per cubic meter Rate as set in the Master Rates Bylaw.
- 36.02** All loads brought to Wastewater Facility shall have a completed Manifest signed by the hauler prior to discharging the Hauled Wastewater.
- 36.03** No Person shall release Hauled Wastewater at a Wastewater Facility other than through a discharge hose placed securely in a discharge portal.
- 36.04** No Person shall release or allow the release of Hauled Wastewater into a Wastewater Facility that contains any of the following:
 - (a) grit or skimming's from Interceptors, grease traps, catch basins, pretreatment facilities;
 - (b) Sludge from Interceptors, sumps, catch basins, or pretreatment facilities
 - (c) matter containing a Hazardous Substance or Hazardous Waste;
 - (d) matter containing Prohibited Waste, or Restricted Waste in excess of concentrations permitted under this Bylaw.
- 36.05** It is understood that liquid waste from a domestic source (septic tanks with a field or holding tanks) will be Overstrength Wastewater, however provided that the Hauled Wastewater consists only of Domestic Wastewater and contains no Prohibited Waste or Restricted Waste, the Hauled Wastewater shall be accepted at a Wastewater Facility at the discretion of the Manager.
- 36.06** The operations staff of a Wastewater Facility has the right to reject or halt the release of any load suspected to be out of compliance with this Bylaw.
- 36.07** If the Hauled Wastewater load is rejected the hauler must provide to the County:
 - (a) completed and signed Manifest;
 - (b) detailed description of the events leading to the removal of the Hauled Wastewater from the generator;
 - (c) procedures to be put in place to prevent a similar event from occurring again;
 - (d) the treatment method and final disposal location of the contravening Hauled Wastewater;

All reporting must be submitted to the County within 7 calendar days of the incident. Failure to do so will result in the cancellation or suspension of the approval of the

Wastewater hauler, or when and if applicable the Hauled Wastewater Permit, and all privileges to use the liquid waste transfer facility revoked.

- 36.08** The Manager may revoke or suspend an approval of a Wastewater hauler or, when and if applicable, a Hauled Wastewater Permit in the event this Bylaw is not complied with.

GENERAL

37 Authority to Sample

The Manager may from time to time determine by sampling and analysis the characteristics of the Wastewater being discharged into the Wastewater Facilities from any Premises which by reason of the type of industry or business being conducted or operated thereon, or for any other reason is, in the Manager's opinion, likely to produce Wastewater with concentrations of harmful or deleterious substances which exceed those permitted under this Bylaw or other applicable legislation, and shall maintain a record of each such analysis.

38 Duration of Sampling and Analysis

The Manager may take and analyze samples over a period which, in the Manager's opinion, is sufficient to permit determination of the quality of the average effluent from a Premises under normal conditions.

39 Request for Additional Sampling

If the Owner of a Premises to which a Wastewater surcharge is applicable is of the opinion that the degree of concentration of the Wastewater discharge from the property has been reduced from that shown in a test made by the Manager, such Owner may ask the Manager to make a further test at the Owner's expense.

40 Special Agreements

This Bylaw shall not be construed so as to prevent any agreement or arrangement between the County and any Person whereunder the County may accept Industrial Wastewater of unusual strength or character for treatment.

41 Garbage Grinders

The installation of any garbage grinder equipped with a motor of 560 watts or greater shall require the approval of the Manager.

SCHEDULE "C"**TERMS AND CONDITIONS OF SERVICE – WATER SERVICES****ADMINISTRATION OF WATER SUPPLY****1. Authority to Shut Off in Emergency**

Notwithstanding any other provision in this Bylaw, in the event of an Emergency, the Manager may shut off the Water supply without prior notice to a Consumer, a group of Consumers or a geographical area.

2. Supply of Water

- 2.01** With the exception of Private Water Systems and pre-existing Water providers, the County shall be the sole provider of potable Water within the boundaries of the Service Area of the County.
- 2.02** The County does not guarantee the pressure nor the continuous supply of Water and the County may at any time, without notice, change the operating Water pressure and Shut-Off Water.
- 2.03** Any Person requiring a continuous and uninterrupted supply or pressure of Water or having processes or equipment that require particularly clear or pure Water shall provide such facilities as that Person considers necessary to ensure a continuous and uninterrupted supply, pressure or quality of Water.
- 2.04** Where required by development permit, subdivision approval, County Servicing Standards or a government authority having jurisdiction, the Owner of any house or building used for human occupancy, employment, recreation or other purpose located on property lying along the line of any Water Main shall connect such house or building directly with the Water Main.
- 2.05** Where connection to a Water Main is required by development permit, subdivision approval, County Servicing Standards or a government authority having jurisdiction, the Private Water System shall be disconnected from the building(s) located on the property.
- 2.06** In no case shall a Private Water System be connected to any Utilities Main Connection or Water Facilities of the County, unless specifically agreed upon by the County.

3. Bulk Water Sales

- 3.01** The Bulk Water Facilities designated by the County shall be the only source of potable Water available for use within the County's Service Area, or Water transported from the Service Area for use outside the Service Area where permitted, with the exception of Water incorporated into a manufactured consumer product as described in section 7 of this Schedule or Water otherwise supplied by the County.
- 3.02** Bulk Water may only be purchased at a Bulk Water Facilities designated by the County.
- 3.03** Rates for Bulk Water shall be as set pursuant to the provisions of Schedule "D".

4. Sprinklering

- 4.01** The Manager may at such times and for such length of time as he/she considers necessary or advisable, regulate, restrict or prohibit Sprinklering.

- 4.02** In exercising the authority conferred by section 4.01 above, the Manager:
- (a) shall cause to be published in a daily newspaper circulated in the County a public notice giving reasonable detail of the regulation, restriction or prohibition of Sprinklering being imposed which may be limited to certain times or which may be unlimited as to time in which latter case, a similar public notice shall be published giving notice of the time of cessation of such regulation, restriction or prohibition.
 - (b) may regulate, restrict or prohibit Sprinklering in all or any part or parts of the County and in so doing the Manager may provide different times during which different Consumers may Sprinkle by reference to compass direction, Roads, odd and even street addresses, or in such other manner as the Manager in his absolute discretion considers appropriate.
- 4.03** After providing not less than twenty four (24) hours prior written notice, the Manager may cause the Water supply to any Consumer who causes, permits or allows Sprinklering in contravention of any such regulation, restriction or prohibition to be Shut-Off until such Consumer undertakes to abide by and comply with such regulation, restriction or prohibition in a form acceptable to the Manager.

RESTRICTION OF WATER SUPPLY

5. General

- 5.01** No Consumer shall operate, use, interfere with, obstruct or impede access to Water Facilities or any portion which is on, or in the vicinity of, the Consumer's property in any manner not expressly permitted by this Bylaw, or in a manner contrary to the provisions of this Bylaw.
- 5.02** If a Consumer shall be in breach of section 5.01, after providing not less than twenty four (24) hours prior written notice, the Manager may cause the Water being supplied to such Consumer to be Shut-Off until the Manager is satisfied that such Consumer has remedied the breach and is otherwise complying with all of the provisions of this Bylaw.

6. Wastage

- 6.01** No Consumer shall cause, permit or allow the discharge of Water so that it runs to waste, whether by reason of leakage from underground piping, a faulty plumbing system or otherwise.
- 6.02** After providing not less than twenty four (24) hours prior written notice, the Manager may cause the Water supply to any Consumer who violates section 6.01 to be Shut-Off until such time as such Consumer establishes to the satisfaction of the Manager that he/she has taken such steps as may be necessary to ensure that any Water supplied to the Consumer by the County will not run to waste.
- 6.03** Notwithstanding the foregoing, the Manager may under such conditions as he/she considers reasonable allow a Consumer to discharge Water so that it runs to waste if such Consumer's Water service would otherwise be susceptible to freezing, or if it is required to maintain Water quality.
- 6.04** Water permitted to run to waste as described in section 6.03 shall be metered and charged for where the potential for freezing is the result of a shallow or unprotected Service Connection.

7. Use of Water**7.01** No Consumer shall:

- (a) lend or sell Water, unless such Water has been incorporated into a manufactured consumer product, which the manufacturer is licensed to manufacture, such as but not limited to ice and soft drinks;
- (b) give away or permit Water to be taken;
- (c) use or apply any Water to the use or benefit of others;
- (d) increase the usage of Water beyond limits agreed upon with the County; or
- (e) wrongfully waste Water.

7.02 Section 7.01 does not apply to Water purchased from a Bulk Water Facility designated by the County.**8. Investigation into Water Supply Service Failure**

- 8.01** If a Consumer shall complain of a failure or interruption of Water supply, and investigation of the complaint necessitates excavation, the Consumer shall, prior to the excavating being done, deposit with the County a Deposit for the Charge as estimated by the Manager based upon the anticipated actual cost of performing the excavation.
- 8.02** If the failure or interruption was caused by the County, its Water Main or its Utilities Main Connection, such Deposit shall be refunded.
- 8.03** If the failure or interruption was caused by the Service Connection, the actual cost of such excavating shall be paid by the Consumer and the Deposit paid pursuant to section 8.01 shall be applied towards payment of such cost.

9. Service Calls

If a Consumer requests a service call and the County's employee responding to the call is for any reason unable to enter the Consumer's Premises, the Consumer shall pay a Charge as established pursuant to Schedule "D".

10. Noise and Pressure Surges

- 10.01** No Consumer shall cause, permit, or allow any apparatus, fitting or fixtures to be or to remain connected to the Consumer's Water supply or allow such Water supply to be operated in such a manner as to cause noise, pressure surges or other disturbance which may in the opinion of the Manager result in annoyance or damage to other Consumers of the Water Facilities.
- 10.02** After providing not less than twenty four (24) hours prior written notice, the Manager may Shut-Off the Water supply to any Consumer who is in breach of section 10.01.
- 10.03** Any Water supply Shut-Off pursuant to section 10.02 shall not be restored until the Consumer has ceased to be in breach of section 10.01.

11. Operation of Valves

- 11.01** Unless authorized by the Manager, no Person shall turn on or off a Water Service Valve or any other valve or valves in the Water Facilities.
- 11.02** Unless authorized by the Manager, no Person shall turn on a Water Service Valve which has been turned off on the instructions of the Manager.

12. Trespassing

No Person shall trespass on any property which is utilized or operated by the County.

13. Operation of Fire Hydrants

- 13.01** No Person other than authorized County employees or County fire department employees shall operate or tamper with a Fire Hydrant under any circumstances.
- 13.02** Fire Hydrants shall not be used for any purpose other than fire protection, unless authorized by the Manager.
- 13.03** No Person shall allow anything to be constructed, placed, erected or planted adjacent to a Fire Hydrant, which may in any way interfere with access to, use, maintenance or visibility of the Fire Hydrant.
- 13.04** If requested by any Person for any reason which the Manager deems appropriate, the Manager may, at such Person's expense, permit the relocation, raising or lowering of a Fire Hydrant situated on County property.
- 13.05** Prior to a Fire Hydrant being relocated, raised or lowered pursuant to section 13.04, the Person requesting the same shall pay to the County the Charge for the work as estimated by the Manager based upon the actual anticipated costs of such work.
- 13.06** The County may require that a Fire Hydrant be installed on Private Property at the expense of the Owner of the property.
- 13.07** No Person shall use Water from a Fire Hydrant located on Private Property for any purpose other than fire protection.
- 13.08** Any Person owning or occupying a property with a Fire Hydrant adjacent to such property shall be responsible for clearing snow and cutting weeds or grass around the Fire Hydrant in a manner that allows the Fire Hydrant to be clearly visible and accessible from the point on the Road closest to the Fire Hydrant.
- 13.09** If a Fire Hydrant is equidistant from two properties:
 - (a)** the Owner and Occupant of the property immediately to the north or west of the Fire Hydrant shall comply with the provisions of section 13.08 in even numbered years; and
 - (b)** the Owner and Occupant of the property immediately to the south or east of the Fire Hydrant shall comply with the provisions of section 13.08 in odd numbered years.

CONTAMINATION**14. Flow Prevention / Cross Connection Control**

- 14.01** No Consumer shall cause, permit or allow to remain connected to his/her Water supply system any piping, fixture, fitting, container or other apparatus which may cause water from a source other than the Water Facilities or any other actual or potentially harmful or deleterious liquid or substance to enter the Water Facilities.
- 14.02** Flow prevention devices shall be present where a contaminant could enter the Water Facilities, and at all Commercial Premises and:
 - (a)** flow prevention devices shall be tested annually by a certified technician and the “passed” inspection report shall be submitted to the Manager; and
 - (b)** inspection, maintenance and repair of flow prevention devices is the responsibility of the Owner.
- 14.03** If a condition is found to exist which is contrary to section 14.01, the Manager shall, depending on the nature of the hazard:
 - (a)** carry out an inspection and issue such order or orders to the Owner, Consumer or other Person as may be required to obtain compliance with section 14.01; or
 - (b)** without prior notice Shut-Off the Water service or services.
- 14.04** If the Owner, Consumer or other Person to whom the Manager has issued an order fails to comply with that order, the Manager in his discretion may:
 - (a)** give notice to the Person to whom the order was directed to correct the fault at the expense of such Person within a specified time period and if the notice is not complied with the Manager may then Shut-Off the Water service or services; or
 - (b)** without prior notice Shut-Off the Water service or services.
- 14.05** Any Water supply so Shut-Off shall not be restored until the breach of section 14.01 has been remedied.

METERS**15. General**

- 15.01** All Water supplied by the County through a Service Connection shall be measured by a Meter owned, installed and maintained by the County unless otherwise provided under this Bylaw or a special agreement is entered into between the County and an Owner.
- 15.02** All Meters except subsidiary Meters as described in Section 17 of this Schedule shall be supplied, owned and maintained by the County unless otherwise provided by this Bylaw or a special agreement is entered into between the County and an Owner.

16. Installation Responsibility

- 16.01** Meters shall be supplied and installed by the County at the expense of the Owner and shall thereafter be maintained by the County at the County's expense.
- 16.02** All Meters supplied to replace obsolete Meters shall be supplied and installed by the County at the expense of the County.

- 16.03** Notwithstanding section 16.02, any re-sizing during the replacement of obsolete Meters shall be subject to section 23 of this Schedule and conditions contained therein, except where re-sizing is a requirement of the County.

17. Subsidiary Meter

A Consumer may, for his/her own benefit, and at his/her own cost, install a Meter between the Meter supplied by the County and the point of use of the Water supply, provided that the County shall under no circumstances be required to maintain or read such Meter. A subsidiary Meter shall remain the property of the Consumer.

18. Provision of a Meter Setting

- 18.01** If constructing a new building, or reconstructing an existing building, an Owner shall make provision acceptable to the Manager for the installation of a Water Meter.
- 18.02** In so doing, the Owner shall ensure that the Meter is installed in accordance with the Construction Manual.
- 18.03** Any Consumer:
- (a) whose Water supply is not metered, or
 - (b) whose Meter is not positioned to the satisfaction of the Manager, shall, at the Consumer's expense, arrange for installation of a new Meter or for the Meter to be moved, as the case may be.

19. Special Meter Readings

A Consumer who asks the County for a special Meter reading shall pay the Charge specified in Schedule "D".

20. Testing or Calibration on Disputed Meter Reading

- 20.01** If a Meter reading is disputed by either the County or a Consumer, the party disputing the reading shall give written notice to the other party. Following such notice, the Meter in question shall be tested or calibrated by a Person appointed by the County.
- 20.02** If the Meter is found to be accurate within 97% to 103% of the Water passing through it, the cost for the test or calibration shall be borne by the party disputing the reading .
- 20.03** If the Meter is found not to be accurate within those limits:
- (a) it shall be forthwith repaired or replaced and the cost, as well as the expense of the test or calibration, shall be borne by the County;
 - (b) the accounts based upon the readings of that Meter during the period of six (6) months immediately preceding the date of the test or calibration shall be corrected to reflect the error in the Meter and the Consumer shall pay, or there shall be refunded to the Consumer, as the case may be, the amount so determined, which payment or refund shall be accepted by both the County and the Consumer in full settlement of any claim arising out of the error in the Meter.

21. Meter Chamber

If, in the opinion of the Manager, a building or other location to be supplied with Water does not have an acceptable site for the installation of a Meter, the Owner shall, at the Owner's expense, construct on the

property line a container for a Meter, such container to be satisfactory to the Manager in all respects, including siting, construction, size and access. The Owner shall, at the Owner's expense, thereafter maintain such container to the satisfaction of the Manager.

22. Meters and Services

- 22.01** The County shall not be obligated to supply more than one Meter for each Water service to any one building.
- 22.02** For each additional Meter supplied by the County to a single building, the Owner shall provide, at his expense, a separate Water service.
- 22.03** If a building other than a Single Family Residence is to be constructed over more than one Lot, a separate Water and Sewer Service Connection and Meter is required for each portion of such building situated on a separate Lot, unless the Manager otherwise permits.
- 22.04** If an existing property is to be subdivided into separate Lots, a separate Water and Sewer Service Connection and one Meter is required for each additional Lot.
- 22.05** A condominium may have one Water and Sewer Utilities Main Connection for the entire condominium parcel, in which event there may be one Meter with the Utility Account in the name of the condominium corporation.

23. Meter Size

The size of a Water Meter shall be determined as follows:

- 23.01** The maximum size of the Meter shall not exceed the size of the Service Connection.
- 23.02** If the Service Connection is a Combined Service, the internal diameter of the private service branch off the Fire Line shall determine the Meter size for the purpose of sections 23.01 and 23.02.
- 23.03** If a Consumer requires that an existing Meter be replaced with one of a different size, the Consumer will be directly responsible for all necessary plumbing modifications.
- 23.04** If considered appropriate by the Manager, a request to re-size a Meter may be withheld pending a review of consumption history, usage patterns and maximum flow requirements. Where the review does not support the Consumer's request, a Charge for the review may be charged to the Consumer pursuant to Schedule "D".
- 23.05** Where required by the County for its purposes, appropriate size verification shall be performed by the County at no cost to the Consumer.

24. Non-Registering Meter

- 24.01** If it is determined, otherwise than pursuant to section 20, that a Meter has failed to properly record the flow of Water, the Manager shall estimate the flow of Water based on usage during the same period in the previous year or on the past 3 months if the previous year's usage is not available, and render an account in accordance with such estimate.
- 24.02** A Consumer shall immediately notify the Manager of any breakage or stoppage of a Meter or any irregularity in its operation.

25. Protection of Meter

- 25.01** A Consumer shall adequately protect the Meter on the Consumer's property against freezing, heat and any other internal or external damage failing which such Consumer shall pay to the County the cost of repairing the Meter.
- 25.02** No Person shall obstruct, interfere with, or impede direct, safe and convenient access to any Meter for the purpose of the installation, inspection, removal, replacement, repair and reading of such Meter.
- 25.03** No Person shall break or tamper with any Meter, Remote Reading Device, Communication Wire or Seal.
- 25.04** A Consumer may only relocate, alter or change an existing Meter with the written approval of the Manager and at the Consumer's expense.
- 25.05** If a Meter is removed or stolen, the Owner of the Premises on which it was located shall pay the cost of acquiring and installing a replacement Meter.

26. Reading

- 26.01** If practicable, all Meters shall be read at least once every two months. If any Meter cannot be read within such period, the Manager may estimate the flow of Water upon such basis as he considers to be fair and equitable and render an account.
- 26.02** In any event, every Meter must be read at least once in each twelve (12) month period and if in any case a reading cannot be so made as a result of the Consumer's actions or inactions, after providing not less than thirty (30) days prior written notice to the Consumer, the Manager may Shut-Off the Water supply to the Meter in question until such time as the County is able to obtain a reading.
- 26.03** Any Meter not having a Remote Reading Device will be assessed an amount reflecting the increased cost of obtaining Meter readings. This Rate will be levied on a monthly basis in accordance with the prevailing Rates set pursuant to the provisions of Schedule "D"

27. By-passes

- 27.01** Any Owner having a Meter 50mm in size or larger may apply to the County for a bypass. If approved, a by-pass is to be constructed and maintained in accordance with the Construction Manual, at the Owner's expense. All by-passes are to be Sealed or locked by the County and shall be opened by authorized County employees only in the case of an Emergency.
- 27.02** A Consumer shall be responsible for payment for Water supplied through a bypass, but not recorded on the Meter on such Consumer's property, and the account for such Water shall be based on the volume of Water estimated by the Manager.
 - (a)** No Person shall tamper with or open a bypass.
 - (b)** If a Consumer shall breach section 27.02(a), the Manager may shut off the Water supply to such Consumer until arrangements acceptable to the Manager have been made for estimating the volume of, and payment for, Water supplied through a bypass, but not recorded on the Meter.

28. Meter Valving

- 28.01** All Owners shall, at the Owner's expense, supply and maintain valves on both sides of and within 300mm of the Meter, regardless of size.
- 28.02** The main shut-off valve shall be located immediately inside a building at the point where the Water service enters through the floor.

29. Remote Reading Devices

- 29.01** The County shall supply and install Remote Reading Devices on all Premises receiving Water service from the County at the cost of the Consumers.
- 29.02** The location of a Remote Reading Device shall be at a location as determined by the County.
- 29.03** Subject to the Manager's approval, a Remote Reading Device may be relocated at any time at the Consumer's expense.
- 29.04** In the case of new construction, and if required by the County, the Owner shall, at the Owner's expense, install conduit for a Remote Reading Device for each Meter. Any such conduit shall meet the specifications in the Construction Manual.
- 29.05** All Remote Reading Devices shall be owned and maintained by the County.
- 29.06** If at any time there shall be a conflict between the reading recorded on a Remote Reading Device and the main Meter, the reading recorded by the main Meter shall be deemed to be accurate. When an adjustment is required, the same procedure as described in 20.03 of this Schedule will be applied.

30. Construction Meters

- 30.01** For the purpose of providing temporary Water services during construction, the County may install a construction Meter.
- 30.02** Construction Meters shall have a maximum size of 19mm.

31. Water Service Surcharge

- 31.01** Any Residential Premises or Commercial Premises where Water is consumed in excess of service commitments or capacity allocations to the Consumer, or in excess of such other service restrictions and limitation as the County may impose from time to time, will be subject to a Water service surcharge.
- 31.02** Metering for the Water service surcharge shall be performed through the applicable Meter servicing the said Premises.
- 31.03** The surcharge factor will be recalculated monthly based on the Water consumption Meter values.
- 31.04** The Water service surcharge will remain in effect until the next month-end metering demonstrating that the consumption is within the requirements imposed.

SERVICES AND SERVICING**32. Plumbers and Plumbing Contractors**

All Persons doing any work or service upon a Service Connection or the plumbing system attached thereto shall comply with the Regulations, the Design Manual, and the Construction Manual.

33. Re-use of Water Services

- 33.01** An existing Utilities Main Connection and Service Connection may only be used to provide service to a new building with the Manager's approval.
- 33.02** Under no circumstances will any Person be allowed to re-use a lead Utilities Main Connection or Service Connection to provide service to a new building.
- 33.03** The County shall be responsible for all costs incurred by the County in constructing a new Utilities Main Connection if the old pipe is deemed unacceptable for reuse, and no upsizing of the pipe is required.
- 33.04** The property Owner shall be responsible for all costs incurred by the County in constructing a new Utilities Main Connection where upsizing of the old pipe is required.
- 33.05** Existing 19mm diameter Service Connection may be re-used in conjunction with the development of single detached Dwelling Units, except where fire sprinklering is required. Re-use of a single 19mm diameter service in conjunction with the development of duplex or semi detached dwelling will be permitted if the Consumer can demonstrate that the necessary capacity exists to meet the fixture-unit Water demand and no subdivision of the property is intended or required.

34. Fire Protection Service

- 34.01** A Combined Service or Fire Line shall not be installed without the prior approval of the Manager.
- 34.02** A Fire Line shall be used only for fire protection purposes.
- 34.03** If the Manager shall determine that a Meter should be affixed to a Fire Line, a Meter shall be supplied and installed in a manner satisfactory to the Manager at the Consumer's expense.

35. Temporary Water Service

- 35.01** If for any reason a temporary Water service is required, the Applicant shall pay to the County in advance the cost of its construction and abandonment as estimated by the Manager based upon the anticipated actual cost of the temporary Water service.
- 35.02** Application for a temporary Water service shall be made in accordance with Schedule "A".
- 35.03** A Meter shall be installed on a temporary Water service at a location approved by the Manager.

36. Discontinuation of Service

- 36.01** No Person shall cause, permit or allow to be demolished or removed, a building connected to a Water Main until application has been made to the Manager for the discontinuation of Water service.

- 36.02** If the potential for re-use of the Water service exists, or for any other reason the Manager deems acceptable, the Water service may be temporarily disconnected at the property line at the cost of the Owner. If a temporary discontinuation is allowed and thereafter, for any reason the Manager deems it necessary to do a Service Kill, a Charge will be made to the Owner pursuant to Schedule "D".
- 36.03** If, in the Manager's opinion, a temporary disconnection is inappropriate, a Service Kill shall be performed at the Water Main at the Owner's expense.
- 36.04** If the Water is to be Shut-Off and the Meter removed for the purpose of demolition, the property Owner shall be responsible for all costs associated with such. If the Water cannot be Shut-Off due to a damaged Service Box or Service Valve, the County shall excavate to the Water Service Connection and disconnect the services at the expense of the Owner.

37. Thawing Service

- 37.01** If, in the opinion of the Manager, a Service Connection or the plumbing system connected thereto is frozen, the cost of thawing by the County shall be borne by the Consumer.
- 37.02** If a Utilities Main Connection is frozen and, in the opinion of the Manager, such freezing is a result of a Consumer's negligence, the cost of thawing by the County shall be borne by such Consumer. Otherwise, the cost of thawing shall be borne by the County.

38. Boilers and the Like

In any case where a steam boiler or equipment of a like nature is supplied directly from Water Service Connection, such boiler or other equipment shall be equipped with at least one safety valve, vacuum valve or other device sufficient to prevent collapse or explosion in the event that the Water supply is Shut-Off.

39. Request for Water Turn Off and/or On

If a Consumer requires the supply of Water to be turned on and/or shut off for his own purposes, such Consumer shall pay a Charge pursuant to Schedule "D".

40. Maintenance of the Water Service

- 40.01** The County shall, at its expense, maintain the Water Utilities Main Connection from the Water Main up to the connection with the private Service Connection, including the Service Valve.
- 40.02** An Owner shall, at the Owner's expense, maintain the Water Service Connection from the Owner's building up to and including the connection with the Utilities Main Connection.

41. Protection of Service Boxes

- 41.01** Service Boxes to buildings under construction shall be protected from damage by the Owner from the time the building permit is issued to the time of occupancy.
- 41.02** At all times during construction, the Owner shall keep the Service Box exposed at final grade level and clearly marked with a blue wooden stake.

- 41.03** If the Service Box is damaged prior to the Owner occupying the site the County shall be notified by the Owner prior to application for a building permit, final inspection, or occupancy permit being made.

42. Replacement of Service Boxes

If the installation of a Water and Sewer service or the repair of a Water and Sewer service necessitates excavation at the Service Box, the County may require replacement of the Service Box by the Person doing the installation or repairs. The County will provide a replacement Service Box at no charge if damage to the Service Box is not the fault of the Owner or any prior Owner of the Premises or the Person performing the work. The Owner will pay the cost of installing the replacement Service Box.

43. Verification of Water Service Pressure

Any Person installing a new Service Connection is responsible for verifying that adequate Water pressure exists at the Service Valve. If the County is notified at any time after the connection is made that there is a lack of pressure, and upon inspection it is ascertained that the pressure is inadequate, the Person who installed the service shall be responsible for the cost of re-excavating the Service Valve for the purposes of such inspection.

SCHEDULE "D"**RATES AND CHARGES****1. Rates and Rate Structure**

The Rate structure for Utility Services shall be established, amended, and re-established from time to time by County Council pursuant to the County's Master Rates Bylaw, as amended, repealed, or replaced from time to time.

2. Water Rate Structure

The Water Rate structure established from time to time by County Council under the Master Rates Bylaw may include, without restriction, provision for the following Rates:

- a. Security Deposit** - including, without restriction, a Deposit Rate for:
 - i. Residential Consumer; and
 - ii. Non-Residential Consumer; and
 - iii. Mixed Use Residential Consumer;
- b. Meter Cost** - including, without restriction, a cost designated for the supply and installation of the respective size of Meter and Service Connection;
- c. Connection Fee and/or Capital Rate** - including, without restriction, a connection Rate for:
 - i. Residential Consumer; and
 - ii. Non-Residential Consumer;
 - iii. Mixed Use Residential Consumer;
- d. Account Set-up Fee** – respecting administration for the set-up and commencement of a Utility Account;
- e. Fixed Water Rate** - including, without restriction, a Rate for:
 - i. Residential Consumer; and
 - ii. Non-Residential Consumer;
 - iii. Mixed Use Residential Consumer;
- f. Consumption Rate** – including, without restriction, a Rate for:
 - i. Residential Consumer; and
 - ii. Non-Residential Consumer;
 - iii. Mixed Use Residential Consumer;
- g. Bulk Water Rate** – where two (2) or more properties are serviced through a single connection point to the Water Main and/or measurement of Water consumption is provided through a single Meter, including, without restriction, a Rate for:

- i. bulk Consumer billed on behalf of two (2) or more Residential Consumers; and
- ii. bulk Consumer billed on behalf of two (2) or more Non-Residential Consumers;
- h. **Surcharge** – respecting consumption of Water in excess of service limitations imposed by the County including, without restriction, a Rate for:
 - i. consumption in excess of Water service commitments and/or capacity allocated to such Consumer; and
 - ii. consumption in excess of limitations or restrictions imposed by the County from time to time;
- i. **Bulk Water Sales Rate** – respecting Water supplied by or through a Bulk Water Facility;
- j. **Security Deposits on Bulk Cards** – respecting card-lock and other security devices required for operation of Bulk Water Facilities;
- k. **Franchise Fee** – where applicable and as designated under a franchise agreement.
- l. **Application Rate** - for temporary Water supply and construction Meter;
- m. **Reconnection Rate** – for reinstatement of services after Shut-Off or disconnection for non-payment of account;
- n. **Late Payment Interest Rate** - for non-payment of the Utility Invoice on or before the due date stated therein; and
- o. **Deposit Interest Rate** – respecting interest paid on a deposit returned to a Consumer.

3. Wastewater Rate Structure

The Wastewater Rate structure established from time to time by Council may include, without restriction, provision for the following Rates:

- a. **Security Deposit** - including, without restriction, a Deposit Rate for:
 - i. Residential Consumer; and
 - ii. Non-Residential Consumer;
 - iii. Mixed Use Residential Consumer;
- b. **Connection Fee and/or Capital Rate** - including, without restriction, a connection Rate for:
 - i. Residential Consumer; and
 - ii. Non-Residential Consumer;
 - iii. Mixed Use Residential Consumer;
- c. **Account Set-up Fee** – respecting administration for the set-up and commencement of a Utility Account;

- d. **Fixed Wastewater Rate** - including, without restriction, a Rate for:
 - i. Residential Consumer; and
 - ii. Non-Residential Consumer;
 - iii. Mixed Use Residential Consumer;
- e. **Consumption Rate** – including, without restriction, a Rate for:
 - i. Residential Consumer; and
 - ii. Non-Residential Consumer;
 - iii. Mixed Use Residential Consumer;
- f. **Bulk Wastewater Rate** – where two (2) or more properties are serviced through a single connection point to the Sanitary Sewer and/or measurement of Water consumption for the purposes of establishing volume of Wastewater is provided through a single Meter, including, without restriction, a Rate for:
 - i. bulk Consumer billed on behalf of two (2) or more Residential Consumers; and
 - ii. bulk Consumer billed on behalf of two (2) or more Non-Residential Consumers;
- g. **Surcharge** – respecting discharge of Wastewater in excess of bylaw parameters including, without restriction, a Rate for:
 - i. volume Wastewater discharged in excess of standard rate limits;
 - ii. Overstrength Wastewater; and
 - iii. prohibited/restricted discharge of uncontaminated water;
- h. **Hauled Wastewater Rate** – respecting Wastewater collected by the County as part of a Wastewater hauling service, or Hauled Wastewater received by the County at Wastewater Facilities and transported by other parties permitted under this Bylaw including, without restriction, a Rate for:
 - i. Residential Consumer; and
 - ii. Non-Residential Consumer;
 - iii. Mixed Use Residential Consumer;
- i. **Franchise Fee** – where applicable and as designated under a franchise agreement.
- j. **Reconnection Rate** – for reinstatement of services after Shut-Off or disconnection for non-payment of account.
- k. **Late Payment Interest Rate** – for non-payment of the Utility Invoice on or before the due date stated therein.
- l. **Deposit Interest Rate** – respecting interest paid on a deposit returned to a Consumer.

4. Charges

Where specific Rates have not been established by Council for a particular service, the County shall charge for services provided based upon an actual cost recovery basis including but not limited to charges of \$50.00 per hour where County employees perform the service. All hourly rates shall be based upon a minimum two (2) hour basis. Without limiting the generality of the foregoing, the County may establish Charges for the following:

- a. service assists during Normal Business Hours;
- b. service assist outside Normal Business Hours;
- c. Meter accuracy tests;
- d. Service Kills;
- e. temporary Water supply and construction Meters;
- f. temporary disconnection of service;
- g. Shut Off and turn on of Water for benefit of Consumer;
- h. clearing of blocked Sewer, including labour, vehicles and equipment;
- i. Meter re-sizing;
- j. review for Meter re-sizing;
- k. herbicidal root foaming of Service Connections;
- l. location of Service Connections on Private Property;
- m. thawing of Service Connections or other private service lines;
- n. repairs or work related to the County property where damage caused as a result of a Person's action, including thawing of frozen Utility Services or mains, and clearing of blocked Utility Services or mains;
- o. video inspection of services; and
- p. special Meter reading.

SCHEDULE "E"**PROHIBITED WASTES**

Prohibited Waste shall consist of Wastewater containing the following materials:

1. Waste which causes or will cause an Adverse Effect;
2. Any Flammable Liquid or explosive material;
3. A solvent or petroleum derivative including but not limited to gasoline, naphtha or fuel oil;
4. Wastewater having a PH of less than 5.5 or greater than 10.0;
5. Any matter, other than Domestic Wastewater, which by itself or in combination with another substance is capable of creating odours related to but not limited to hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia outside or in and around a Sanitary Sewer;
6. Pesticides;
7. Unused pharmaceuticals;
8. Wastewater containing materials which by themselves or in combination with other materials become highly coloured and pass through a Sanitary Sewer discolouring the effluent;
9. Solid or viscous substances in quantities or of such size as to be capable of causing obstruction to the flow in a Sanitary Sewer, including but not limited to ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animal guts or tissues, paunch manure, and whole blood;
10. Radioactive Substances in excess of concentrations greater than that specified under the **Atomic Energy Control Act** and the Atomic Energy Control Regulations or amended versions thereof;
11. Wastewater having a temperature in excess of sixty degrees Celsius;
12. Grit removed from Commercial Premises including but not limited to grit removed from car washing establishments, automobile garages and restaurant sumps or from Interceptors;
13. Any corrosive or toxic Wastewater or other wastes which could adversely affect a Sanitary Sewer or Wastewater Facilities;
14. Wastewater which will create tastes or odours in drinking water supplies making such waters unpalatable after conventional water purification treatment;
15. Wastewater which will be discharged in layers or will form layers;
16. Wastes which will interfere with the disposal of biosolids resulting from municipal Wastewater treatment;
17. Wastes which will cause a violation or non-compliance event in the operating approval for the Wastewater Facilities;
18. Biological Wastes;

19. Storm water drainage or sub-surface drainage unless authorized by Council pursuant to this Bylaw or otherwise;
20. Hazardous Waste or Hazardous Substances;
21. Wastewater containing Restricted Waste, consisting of substances of a concentration, expressed in mg/L, in excess of any one or more of the limits in Schedule "F" of this Bylaw, unless the discharge is in accordance with a valid discharge agreement issued by the County.

SCHEDULE "F"**RESTRICTED WASTES**

Restricted Waste shall consist of Wastewater containing the materials listed in excess of the following concentrations:

Aluminum	0.0 mg/L
Ammonia	24 mg/L
Antimony	5.0 mg/L
Arsenic	0.1 mg/L
Benzene	0.01 mg/L
Beryllium	1.0 mg/L
Biochemical Oxygen Demand	1200 mg/L
Bismuth	5.0 mg/L
Boron	5.0 mg/L
BTEX	0.5 mg/L
Cadmium	0.2 mg/L
Chemical Oxygen Demand	2400 mg/L
Chloride	1500 mg/L
Chloroform	0.04 mg/L
Chromium, total	0.37 mg/L
Cobalt, total	5.0 mg/L
Copper, total	1.0 mg/L
Cyanide, total	1.0 mg/L
Dichlorobenzene	0.09 mg/L
Ethylbenzene	0.5 mg/L
Fats, Oils & Grease, animal / vegetable	450 mg/L
Oils & Grease, mineral / synthetic	15 mg/L
Fluoride	10.0 mg/L
Hexachlorobenzene	0.055 mg/L
Hydrocarbons	50.0 mg/L
Iron	50.0 mg/L
Lead, total	0.01 mg/L
Manganese	5.0 mg/L
Mercury	0.1 mg/L
Methylene Chloride (Dichloromethane)	0.1 mg/L
Molybdenum, total	5.0 mg/L
Nickel, total	0.55 mg/L
Nitrogen, Total Kjeldahl	70 mg/L
PCBs (Chlorobiphenols)	0.004 mg/L
Phenol Compounds	1.0 mg/L
Phosphorus, total	12 mg/L
Selenium, total	0.82 mg/L
Silver, total	0.29 mg/L
Sulphate (SO ₄)	1500 mg/L
Sulphides (H ₂ S)	0.3 mg/L
Tetrachloroethane	0.04 mg/L
Tetrachloroethylene	0.05 mg/L

Thallium	0.5 mg/L
Tin	5.0 mg/L
Titanium	5.0 mg/L
Toluene	0.08 mg/L
Total Suspended Solids	1200 mg/L
Trichloroethylene	0.054 mg/L
Vanadium	5.0 mg/L
Xylenes (total)	0.32 mg/L
Zinc, total	0.03 mg/L

SCHEDULE "G"

REMEDIAL ORDER

[METHOD OF SERVICE]

[DATE]

[ADDRESS]

Attention: []:

RE: [Legal Description]_(the "**Property**")

It has come to Rocky View County's attention that you, as the Owner/Occupant of the Property, are in violation of Rocky View County's Water/Wastewater Utilities Bylaw No. C-7662-2017 (the "**Bylaw**") by:

- 1.
- 2.
- 3.

A full copy of the Bylaw is available on Rocky View County's website. A full copy of the **Municipal Government Act**, R.S.A. 2000 Chapter M-26 is available on the Alberta Queen's Printer website.

In accordance with Section 545 of the **Municipal Government Act**, R.S.A. 2000 Chapter M-26, you are HEREBY ORDERED to take the following steps on or before [DATE]:

- 1.
- 2.
- 3.

Please be advised that failure to comply with these directions may result in Rocky View County taking steps at your sole cost and expense to enforce the terms of this Remedial Order. Such enforcement steps include, but are not limited to:

1. Entering upon the Property and taking any action necessary to bring the Property into compliance with the Bylaw in accordance with Section 549 of the **Municipal Government Act**. Such action may include but is not limited to all remedial action set out above including:
 - a)
 - b)
 - c)
2. Registering this Remedial Order against the Certificate of Title to the Property pursuant to the **Land Titles Act** and Section 546.1 of the **Municipal Government Act**;

3. Legal action including, but not limited to, injunctive relief from the Alberta Court of Queen's Bench pursuant to Section 554 of the ***Municipal Government Act***, and
4. Issuing a Violation Ticket and seeking the imposition of fines and penalties (maximum fine is \$10,000.00) and a Compliance Order as provided for in Section 566 and 567 of the ***Municipal Government Act***.

Please be further advised that in the event that you do not comply with the terms of this Remedial Order and Rocky View County is thereby required to take any or all of the above noted enforcement steps, in accordance with Section 553 of the ***Municipal Government Act***, the costs of doing so, including but not limited to solicitor and his own client costs, will be added to the tax roll of the Property. Such amounts will form a special lien against the Property, will be deemed to be property taxes, and will be subject to the same collection provisions as property taxes.

You may request that the Rocky View County Council review this Remedial Order in accordance with Section 547 of the ***Municipal Government Act*** by providing a written request for review of the Remedial Order, including reasons for the request, to the Rocky View County Council within 14 days of receipt of this Remedial Order at the following address: Rocky View County Council, 911-32 Avenue NE, Calgary, Alberta, T2E 6X6, Attention: Chief Administrative Officer.

DATE: _____

PLANNING SERVICES

TO:	Subdivision Authority	DIVISION:	7
DATE:	November 27, 2018	APPLICATION:	PL20170030
FILE:	06516014		
SUBJECT:	Subdivision Item – Residential One District		

¹POLICY DIRECTION:

The application was evaluated against the terms of Section 654 of the *Municipal Government Act*, Section 7 of the Subdivision and Development Regulations, the policies found within the County Plan, and the Calterra Estates Conceptual Scheme, and was found to be compliant:

- The application is consistent with the County Plan;
- The proposal is consistent with the Calterra Estates Conceptual Scheme;
- The subject lands hold the appropriate land use designation; and
- The technical aspects of the subdivision proposal were considered and are further addressed through the conditional approval requirements.

EXECUTIVE SUMMARY:

The purpose of this application is to create a ± 0.81 hectare (± 2.00 acre) parcel (Lot 1, west) with a ± 0.81 hectare (± 2.00 acre) remainder (Lot 2, east).

The subject lands consist of a 4.00 acre parcel that accesses Calterra Estates Drive. The parcel currently contains a dwelling, which is located within the boundaries of proposed Lot 1. Servicing to the existing dwelling is provided by connection to the Rocky View Water Co-op. and a private sewage treatment system. Lot 2 is proposed to be serviced by the same means. Access is currently provided by a paved approach within the boundaries of proposed Lot 2. Construction of an additional approach to service Lot 1 is therefore required. The subject lands hold the Residential One District land use designation, which allows for the creation of a 2.00 acre parcel.

Administration determined that the application meets policy.

PROPOSAL: To create a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder.	GENERAL LOCATION: Located approximately 0.8 kilometres (0.5 mile) north of the city of Calgary, 0.2 kilometers (0.12 mile) west of Range Road 13, and on the south side of Calterra Estates Dr.
LEGAL DESCRIPTION: Lot 5, Plan 0010692, NE-16-26-1-W5M	GROSS AREA: ± 1.62 hectares (± 4.00 acres)
APPLICANT: Terry & Helen Ohlhauser	RESERVE STATUS: Municipal Reserves have

¹ **Administration Resources**
 Stefan Kunz, Planning Services
 Erika Bancila, Engineering Services

OWNER: Jonathon & Kirsten Friesen	been provided by a cash-in-lieu payment on Plan 9510253
LAND USE DESIGNATION: Residential One District	LEVIES INFORMATION: Transportation Off-Site Levy is outstanding
DATE SUBDIVISION APPLICATION RECEIVED: February 15, 2017	APPEAL BOARD: Subdivision and Development Appeal Board
TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Private Sewage Treatment System Assessment (Soilworx, 2016) • Stormwater Management Plan (Osprey Engineering, 2017) 	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> • County Plan (C-7280-2013) • Rocky View/Calgary IDP (C-7197-2012) • Calterra Estates Conceptual Scheme (C-5208-2000) • Land Use Bylaw (C-4841-97)

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 42 landowners. At the time of report preparation, six responses were received (see Appendix 'D'). The application was also circulated to a number of internal and external agencies. Those responses are available in Appendix 'B'.

HISTORY:

November 13, 2018	An amendment to the Calterra Estates Conceptual Scheme is approved, allowing for a minimum parcel size of 1.98 acres within a portion of the plan area affecting the subject lands (PL20170150). Additionally, the lands are redesignated from Residential Two District to Residential One District (PL20180091).
July 14, 2015	An amendment to the Calterra Estates Conceptual Scheme is approved, allowing for a minimum parcel size of 1.98 acres within a portion of Phase 2 of the plan area. No other phases are affected by the decision (PL20140089).
July 3, 2012	An amendment to the Calterra Estates Conceptual Scheme is approved, allowing for a minimum parcel size of 1.98 acres within Phase 5 of the plan area. No other phases are affected by the decision (2011-RV-082).
February 24, 2009	Phase Three of the Conceptual Scheme was approved by the Subdivision Authority (2008-RV-276).
June 15, 2005	Phases Two and Four of the Conceptual Scheme were approved by the Subdivision Authority (2005-RV-070).
September 18, 2001	Subject lands are redesignated from Residential Two District to Residential One District (2001-RV-104).
February 6, 2001	Phase One of the Conceptual Scheme was approved by the Subdivision Authority (2000-RV-272).
June 6, 2000	The Calterra Estates Conceptual Scheme is adopted, providing comprehensive planning direction for the creation of 4 acre parcels within the quarter section.
2000	Plan 0010692 is registered, resulting in the creation of the subject lands as a 4 acre parcel with a remainder and a portion for future road dedication.
1995	Plan 9510253 is registered, resulting in the creation of two 2 acre lots, one 4 acre



lot, and the subject lands, which at the time was registered as a 10 acre remainder parcel.

1994

Application to redesignate and subdivide a 20 acre portion of the subject lands to 2 acre lots is refused by Council, but was permitted through appeal to the Alberta Planning Board. The Board's decision would result in the future registration of Plan 9510253.

TECHNICAL CONSIDERATIONS:

This application was evaluated in accordance with the matters listed in Section 7 of the Subdivision and Development Regulation, which are as follows:

a) The site's topography

The topography of the land is rather flat, and features very little in the way of measureable slopes. There are no significant waterbodies, drainage courses, or stands of natural vegetation located on-site. No constraints to the proposed subdivision were identified with regard to the topography of the site. No further concerns.

Conditions: None

b) The site's soil characteristics

The soils on site are Class 1 and Class 3, with either no significant limitations, or moderate limitations for cereal, oilseed, and tame hay crop production due to adverse topography and past erosion damage. As the lands are intended for residential purposes, there are no concerns with regard to soil considerations.

Conditions: None

c) Stormwater collection and disposal

The applicant provided a Stormwater Management Plan (SWMP), prepared by Osprey Engineering Inc., dated August 2017, in support of the application. The SWMP proposes the construction of a rain garden on site in order to effectively manage release rates and volumes generated by the additional development proposed on the lot. As a condition of subdivision approval, the Applicant would be required to enter into a Site Improvements/Services Agreement with the County in order to ensure the implementation of the stormwater management strategies identified in the SWMP.

Conditions: 6

d) Any potential for flooding, subsidence or erosion of the land

The lands do not feature any on-site wetlands as identified by Alberta Environment's Wetland Impact Model. There are no drainage courses or other waterbodies on site, so there are no concerns with regard to flooding, subsidence, or erosion of the land.

Conditions: None

e) Accessibility to a road

The subject lands currently feature one existing dwelling located within proposed Lot 1. This dwelling accesses Calterra Estates Drive via a paved approach. The approach is in good condition, requires no upgrades, and is located a safe distance from the intersection with Range Road 13. As the approach is located within the boundary of proposed Lot 2, a new approach would be required to be constructed in order to provide access to Lot 1.

The Transportation Offsite Levy is outstanding for the total gross acreage of the lands proposed to be subdivided, and is required to be provided through the conditions of subdivision approval.



- Base Levy = \$4,595/acre. Acreage = (2 parcels)*(2.00 acres/parcel) = 4.00 acres.
Estimated TOL payment = (\$4,595/acre)*(4 acres) = \$18,380.

Conditions: 2, 3.

f) Water supply, sewage and solid waste disposal

The Applicant provided a Level I Variation Assessment for the existing septic field on the subject lands that indicates that the system is in good working order. The parcel currently contains a dwelling within the boundaries of proposed Lot 1. Servicing to the existing dwelling is provided by connection to Rocky View Water Co-op. and a private sewage treatment system. Servicing to Lot 2 is proposed to be provided by the same means.

The Applicant submitted a letter from Rocky View Water Co-op. confirming the availability of water supply to the newly created lot. In order to ensure connection to the water provider, as a condition of subdivision approval, the Applicant/Owner would be required to provide a copy of the completed Water Services Agreement to confirm the extension of the existing water distribution system to the subject lands.

A Private Sewage Treatment System Assessment was submitted as well, and review of that report indicates that the use of a treatment mound or a packaged sewage treatment plant is recommended. This is supported by the Calterra Estates Conceptual Scheme, which requires that "lots less than 4 acres in size must be serviced by Packaged Sewage Treatment Plants" (Policy 6.1.4).

As a condition of subdivision approval, the Applicant/Owner would be required to enter into a Site Improvements Services Agreement with the County in order to ensure the installation of a treatment mound or a packaged sewage treatment system.

Conditions: 5, 6.

g) The use of the land in the vicinity of the site

The lands are located within the Calterra Estates community. This is a quarter section of land located north of the city of Calgary and southwest of the city of Airdrie featuring Residential One and Two District Parcels. Parcel sizes range from 2.0 to 4.0 acres, although one 20.0 acre parcel is located in the northeastern corner of the quarter section. The lands surrounding Calterra Estates are predominantly agricultural in nature. Unsubdivided quarter sections are interspersed with small agricultural parcels such as Farmstead, Ranch and Farm Two District, and Agricultural Holdings District. Residential uses are scattered and are largely restricted to first parcel out Residential Two and Three District parcels. There are no concerns that the subdivision proposal is in misalignment with the land use in the area.

Conditions: None

h) Other matters

Municipal Reserves

Municipal Reserves were provided by a cash-in-lieu payment on Plan 9510253.

Conditions: None

POLICY CONSIDERATIONS:



The application was assessed against the policies of the Rocky View County/City of Calgary Intermunicipal Development Plan, the County Plan, and the existing Calterra Estates Conceptual Scheme.

Rocky View County/City of Calgary Intermunicipal Development Plan

The lands are within the Policy Area of the Rocky View County/City of Calgary Intermunicipal Development Plan, and in accordance with the policies of that document, the City of Calgary was notified of the application. The City has no concerns with the proposal. The subject lands are located within an area that is identified as a residential growth area, so the further subdivision of the lands is in accordance with the provisions of the IDP.

Calterra Estates Conceptual Scheme

Policy review of the Calterra Estates Conceptual Scheme (CECS) was provided within the report considering the conceptual scheme amendment (PL20170150). Generally, review of the CECS revealed that there are no concerns with allowing the subdivision to proceed as proposed.

Land Use Bylaw

The Residential One District land use designation allows for parcels a minimum of 0.80 hectares (1.98 acres) in size and is intended for primarily residential purposes. The proposed parcel meets the minimum size provision, and the proposal appears to be in alignment with the provisions of the Land Use Bylaw.

CONCLUSION:

The application was evaluated against the terms of Section 654 of the *Municipal Government Act*, Section 7 of the Subdivision and Development Regulations, the policies found within the County Plan and the Calterra Estates Conceptual Scheme, and was found to be compliant:

- The application is consistent with the County Plan;
- The proposal is consistent with the Calterra Estates Conceptual Scheme;
- The subject lands hold the appropriate land use designation; and
- The technical aspects of the subdivision proposal were considered and are further addressed through the conditional approval requirements.

OPTIONS:

Option #1: THAT Subdivision Application PL20170030 be approved with the conditions noted in Appendix A.

Option #2: THAT Subdivision Application PL20170030 be refused as per the reasons noted.

Respectfully submitted,

Concurrence,

“Sherry Baers”

“Rick McDonald”

Executive Director
Community Development Services

Interim County Manager

SK/rp

**APPENDICES:**

APPENDIX 'A': Approval Conditions

APPENDIX 'B': Application Referrals

APPENDIX 'C': Map Set

APPENDIX 'D': Landowner Comments

APPENDIX A: APPROVAL CONDITIONS

- A. That the application to create a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder from Lot 5, Plan 0010692, NE-16-26-1-W5M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
 1. The application is consistent with statutory policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements.
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application is approved subject to the following conditions of approval:

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District;

Transportation and Access

- 2) The Owner shall construct a new paved approach on Calterra Estates Drive in order to provide access to Lot 1.

Fees and Levies

- 3) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to endorsement. The County shall calculate the total amount owing:
 - a) from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.
- 4) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new lot.

Site Servicing

- 5) The Owner is to provide confirmation of the tie-in for connection to Rocky View Water Co-op., an Alberta Environment licensed piped water supplier, for Lot 2, as shown on the Approved Tentative Plan. This includes providing the following information:
 - a) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed new Lot 2;



- b) Documentation proving that water supply has been purchased for proposed Lot 2;
 - c) Documentation proving that water supply infrastructure requirements, including servicing to the property, have been installed, or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.
- 6) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County that includes the following:
- a) The implementation of the onsite stormwater management strategies in accordance with the findings of the Site Specific Stormwater Management Plan prepared by Osprey Engineering Inc. (August 2017);
 - b) The installation of a packaged sewage treatment system meeting BNQ or NSF 40 Standards, in accordance with the findings of the Private Sewage Treatment System Assessment and Site Evaluation prepared by SOILWORX (December 2016).

Taxes

- 7) All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION

- 1) Prior to final endorsement of the Subdivision, Administration is directed to present the Owner with a Voluntary Recreation Contribution Form and to ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

APPENDIX 'B': APPLICATION REFERRALS

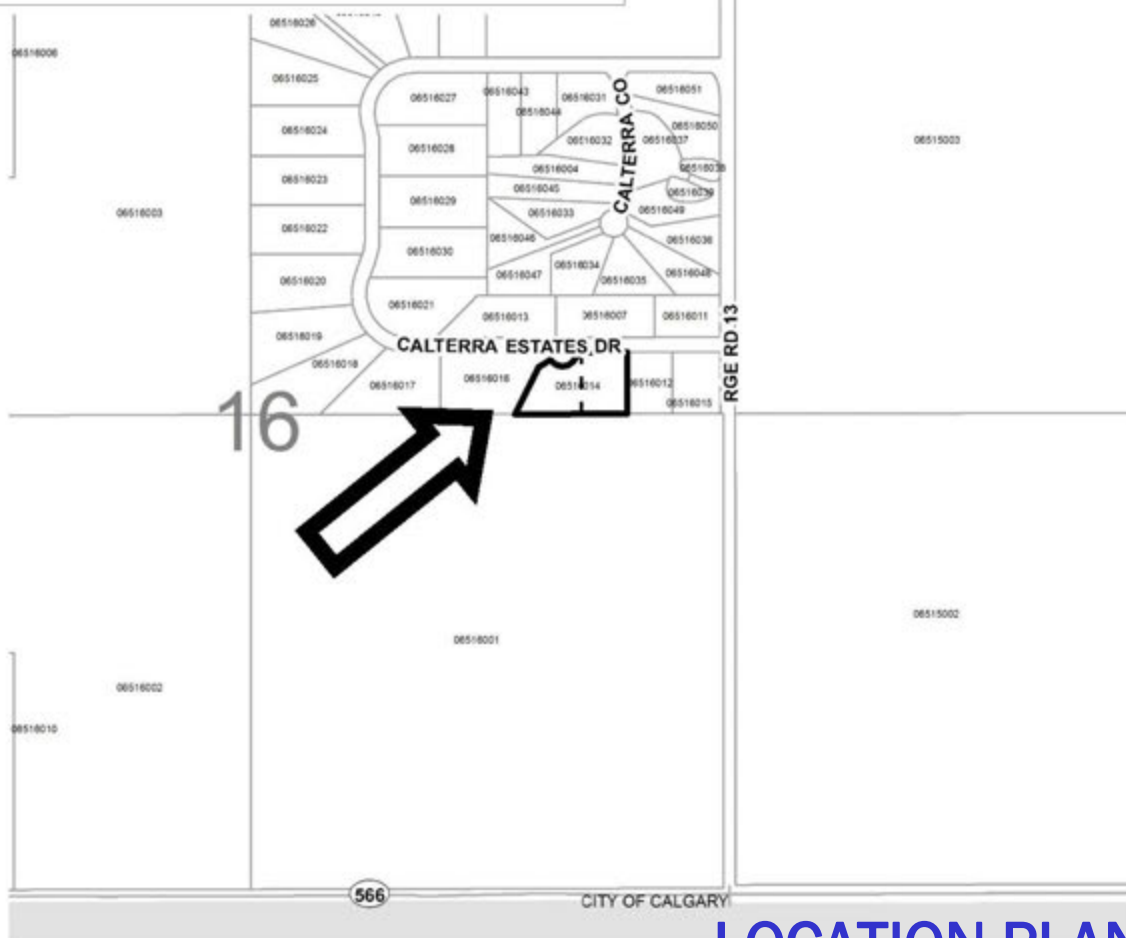
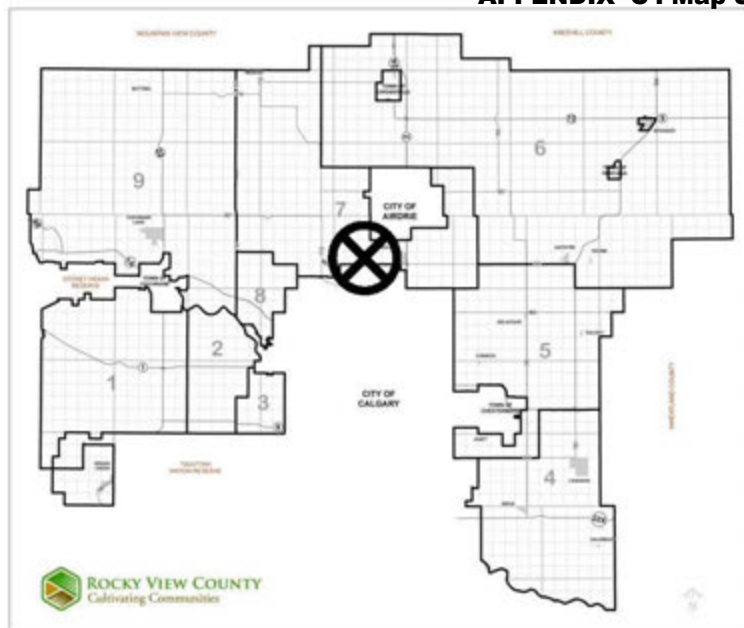
AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No objection.
Calgary Catholic School District	Calgary Catholic School District (CCSD) has no objection to the above-noted circulation (PL2017-0030 0150) in Calterra Estates.
Public Francophone Education	No comment.
Catholic Francophone Education	No comment.
<i>Province of Alberta</i>	
Alberta Environment	Not required.
Alberta Transportation	<p>Alberta Transportation has reviewed the proposal and has determined that the lands subject to this application are located greater than 800 metres from the centreline of Highway 566.</p> <p>The proposal to amend the Conceptual Scheme and the subsequent subdivision application will not affect Highway 566 in any significant manner.</p>
Alberta Sustainable Development (Public Lands)	Not required.
Alberta Culture and Community Spirit (Historical Resources)	Not required.
Energy Resources Conservation Board	No comment.
Alberta Health Services	<p>Based on the information provided, AHS has no objections to this application. We provide the following comments for your consideration with regard to planning future development on the site:</p> <ol style="list-style-type: none"> 1. The application indicates that potable water will be supplied by the Rocky View Water Co-op. AHS wishes to be notified if this plan changes. 2. Any existing or proposed private sewage disposal systems should be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta Private Sewage Systems Standard of Practice. Prior to installation of any sewage disposal system, a proper geotechnical assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner.

AGENCY	COMMENTS
	<p>3. The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003 which stipulates,</p> <p><i>No person shall create, commit or maintain a nuisance. A person who creates, commits or maintains any condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.</i></p>
Public Utility	
ATCO Gas	No objection.
ATCO Pipelines	No objection.
AltaLink Management	No comment.
FortisAlberta	No easement required.
Telus Communications	No objections.
TransAlta Utilities Ltd.	No comment.
Rockyview Gas Co-op Ltd.	No comment.
Other External Agencies	
EnCana Corporation	No comment.
Canadian Pacific Railway	No comment.
City of Calgary	No comments.
Rocky View County	
Boards and Committees	
ASB Farm Members and Agricultural Fieldmen	No concerns.
Rocky View Central Recreation Board	As Municipal Reserves were previously provided on Plan 9510253, Rocky View Central Recreation District Board has no comments on this circulation.
Internal Departments	
Municipal Lands	No concerns.
Development Authority	No comment.

AGENCY	COMMENTS
GeoGraphics	No comment.
Building Services	No comment.
Enforcement Services	No concerns.
Emergency Services	No concerns.
Infrastructure and Operations – Engineering Services	<p data-bbox="618 543 813 569">Geotechnical:</p> <ul data-bbox="618 594 1162 619" style="list-style-type: none"> • ES have no requirements at this time. <p data-bbox="618 644 834 669">Transportation:</p> <ul data-bbox="618 695 1458 1178" style="list-style-type: none"> • The parcel has an existing access from Calterra Estates Drive, approximately 210m from the intersection of Calterra Estates Drive and Rge Rd 13; • As a condition of subdivision the applicant is required to provide payment of the Transportation Offsite Levy in accordance with applicable levy in accordance with Bylaw C-7356-2014 for the total gross acreage of the lands proposed to be subdivided. The estimated levy payment owed at time of subdivision endorsement is \$18,380 (Base = \$4,595/ac x 4.0 ac = \$18,380; • As condition of subdivision, the owner will be required to construct a new paved approach from Calterra Estates Drive to access the proposed parcel in accordance with the requirements of the County Servicing Standards; <p data-bbox="618 1203 927 1228">Sanitary/Waste Water:</p> <ul data-bbox="618 1253 1458 1749" style="list-style-type: none"> • The applicant provided a PSTS Assessment and Site Evaluation prepared by SOILWORX.ca dated December 2016. The assessment contains recommendations based on site evaluation and soil analysis results from test pits dug on the subject lands. It recommends the use of a treatment mound or a packaged sewage treatment plant. As a condition of subdivision, the applicant will be required to enter into a Site Improvements Services Agreement with the County, for the future installation of a treatment mound or a packaged sewage treatment system meeting BNQ or NSF 40 Standards; • The applicant provided a Level I Variation Assessment for the existing septic field on the subject lands indicating that the system is in good working order. ES has no further concerns. <p data-bbox="618 1774 1052 1799">Water Supply And Waterworks:</p> <ul data-bbox="618 1824 1446 1913" style="list-style-type: none"> • As part of the application, the applicant provided a memo from Rocky View Water Co-Op dated January 27, 2017. The memo confirms that :

AGENCY	COMMENTS
	<ul style="list-style-type: none"> ○ The applicant has completed all paperwork for water supply request; ○ The applicant has paid all necessary fees of said application; ○ The utility has sufficient capacity to service the proposed new lot <ul style="list-style-type: none"> ● As a condition of subdivision the applicant will be required to provide a copy of the completed Water Services Agreement with Rocky View Water Co-Op Ltd confirming the confirming the extension of the existing water distribution system to the subject lands. It is to be noted that there is an existing water service to connection to the existing parcel. <p>Storm Water Management:</p> <ul style="list-style-type: none"> ● As part of the application, the applicant provided a Stormwater Management Plan prepared by Osprey Engineering Inc dated August 2017. The Stormwater Management Plan proposed a rain garden to manage release rates and volumes as well as other LID improvements and Best Management Practices on the proposed lot. As a condition of subdivision, the applicant is required to enter into a Site Improvements/Services Agreement with the County for the future implementation of the onsite stormwater management strategies identified in the Stormwater Management Plan prepared by Osprey Engineering Inc dated August 2017 <p>Environmental</p> <ul style="list-style-type: none"> ● ES have no requirements at this time.
Infrastructure and Operations – Maintenance	No issues.
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations - Operations	Concerns addressed through conditions.
Agriculture and Environmental Services - Solid Waste and Recycling	No concerns.

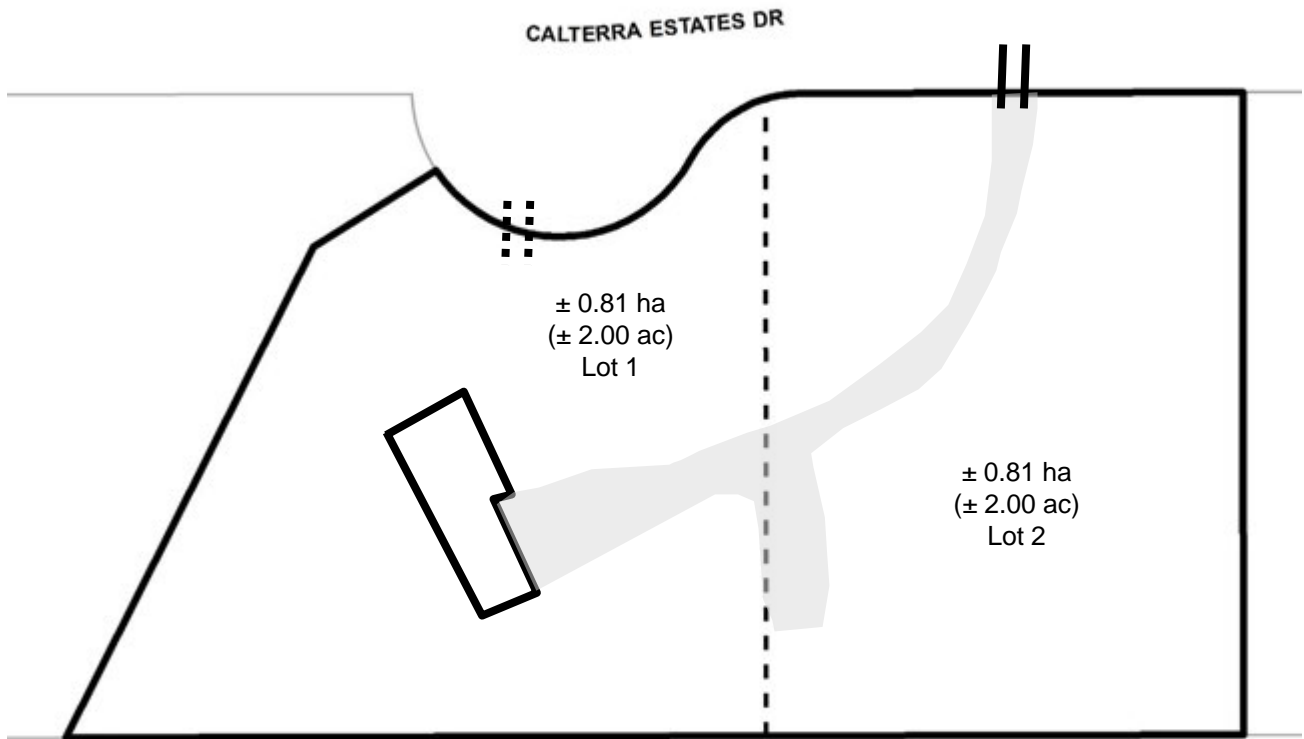
Circulation Period: September 7, 2017 to September 28, 2017



LOCATION PLAN

Lot:5 Plan:0010692
NE-16-26-01-W05M

Subdivision Proposal: To create a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder. **Page 14 of 28**



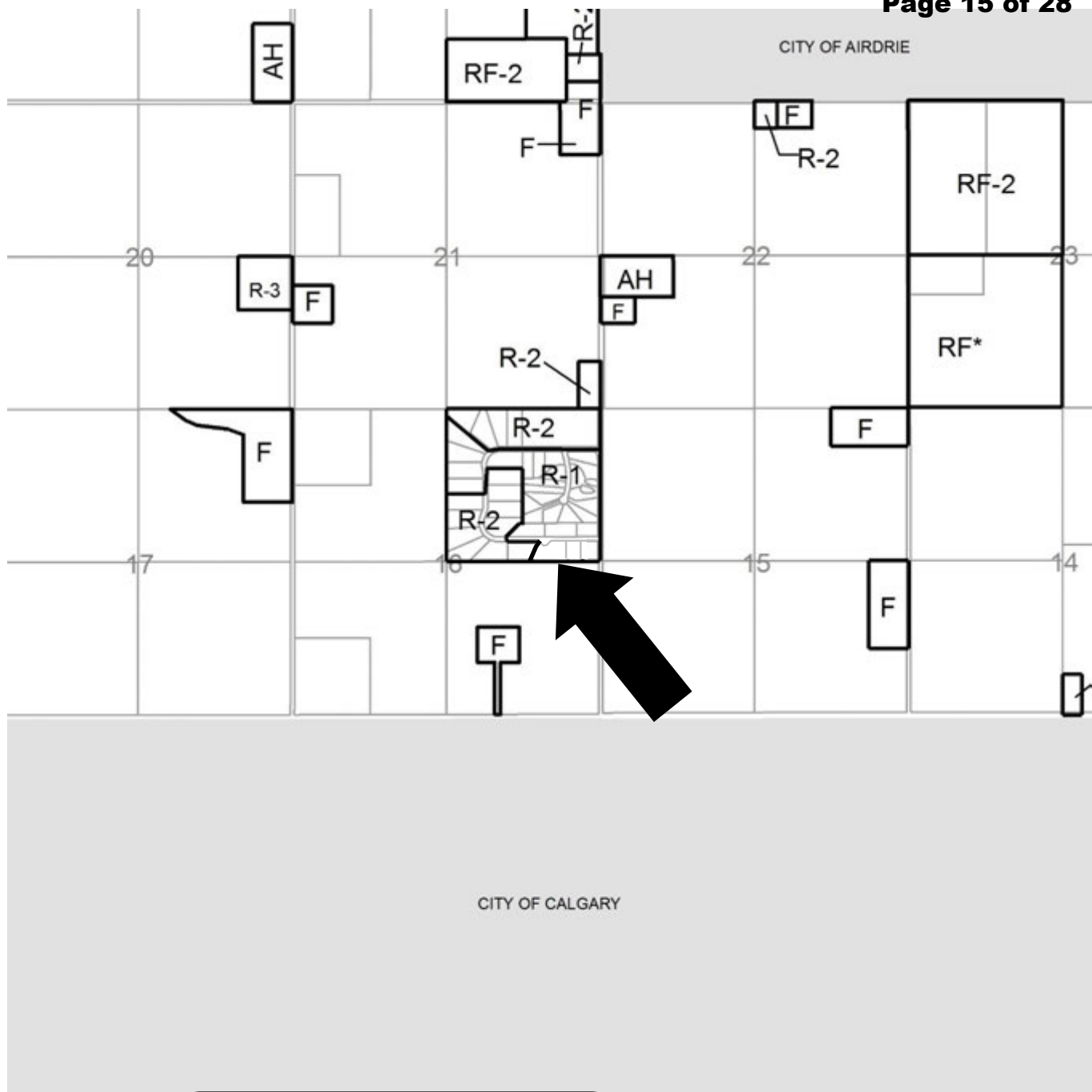
Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Legend	
Dwelling	
Driveway	
Existing Approach	
Required Approach (Location TBD)	

TENTATIVE PLAN

Lot:5 Plan:0010692
NE-16-26-01-W05M



Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

LAND USE MAP

Lot:5 Plan:0010692
NE-16-26-01-W05M

Date: Feb 22, 2017

Division # 7

File: 06516014

AGENDA

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TOPOGRAPHY

Contour Interval 2 M



Lot:5 Plan:0010692
NE-16-26-01-W05M



Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2016

**Lot:5 Plan:0010692
NE-16-26-01-W05M**

Date: Feb 22, 2017

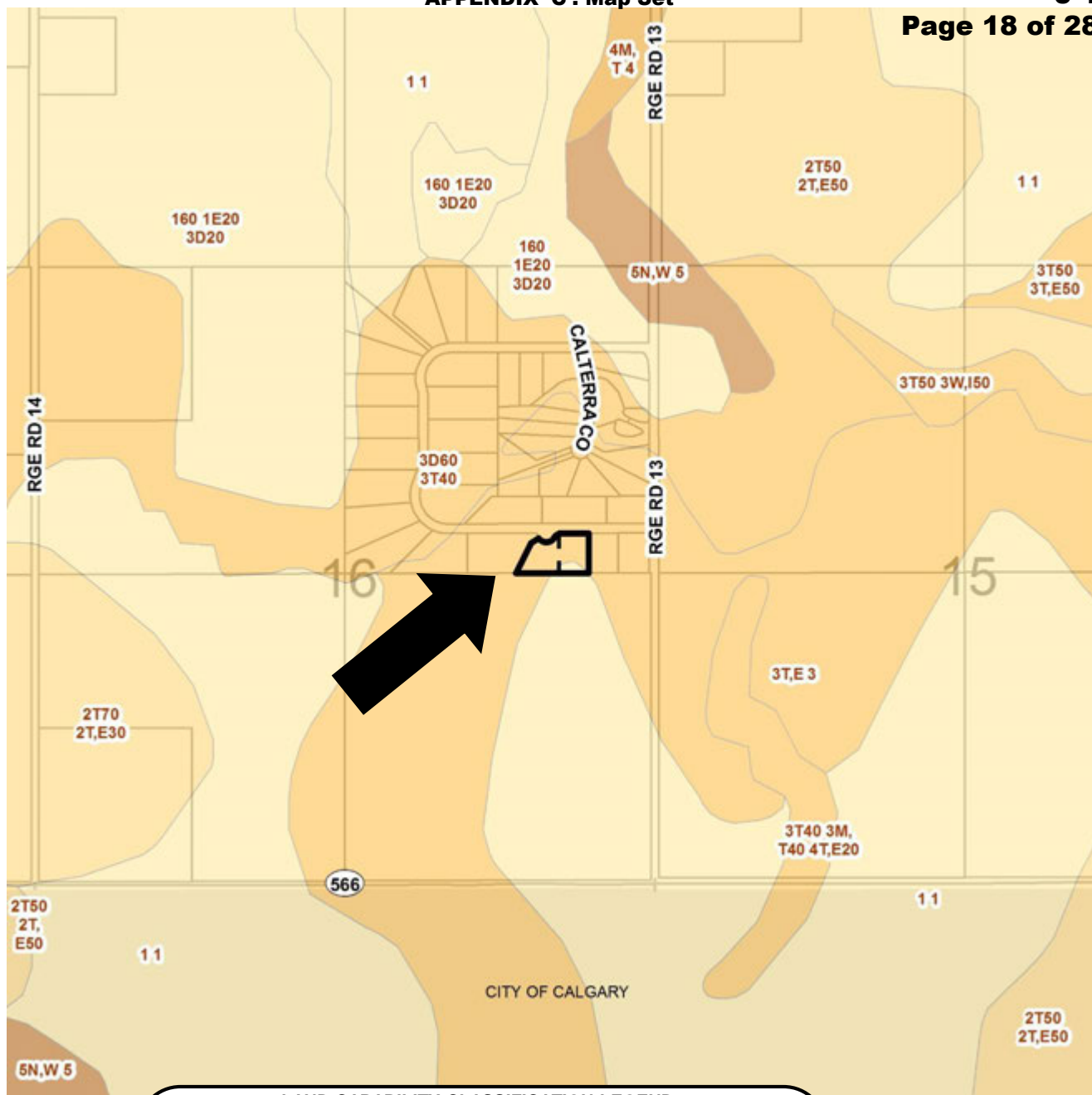
Division # 7

File: 06516014

AGENDA

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LAND CAPABILITY CLASSIFICATION LEGEND

Limitations refer to cereal, oilseeds and tame hay crops

CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high sodicity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

SOIL MAP

Lot:5 Plan:0010692
NE-16-26-01-W05M

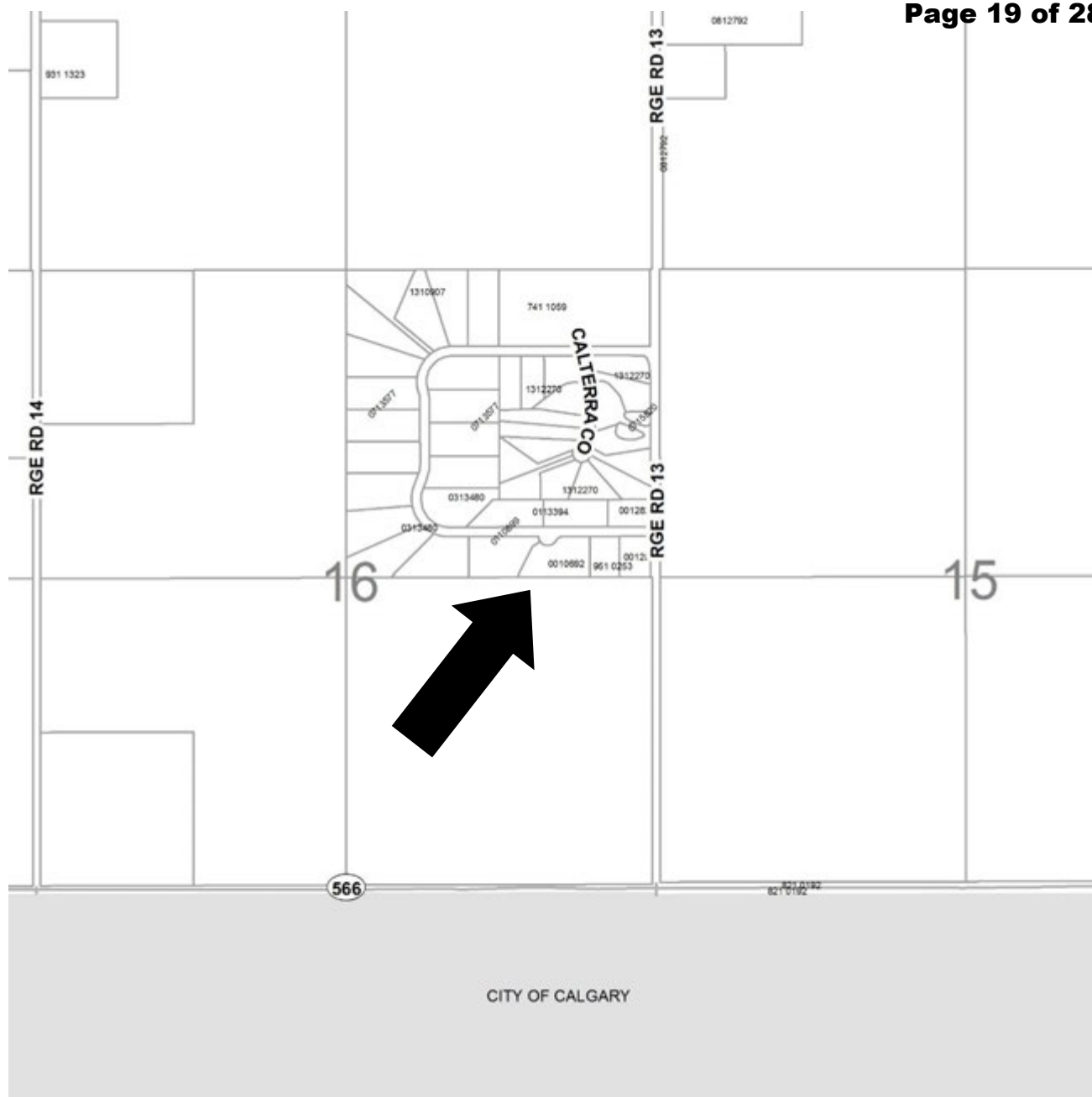
Date: Feb 22, 2017

Division # 7

File: 06516014

AGENDA

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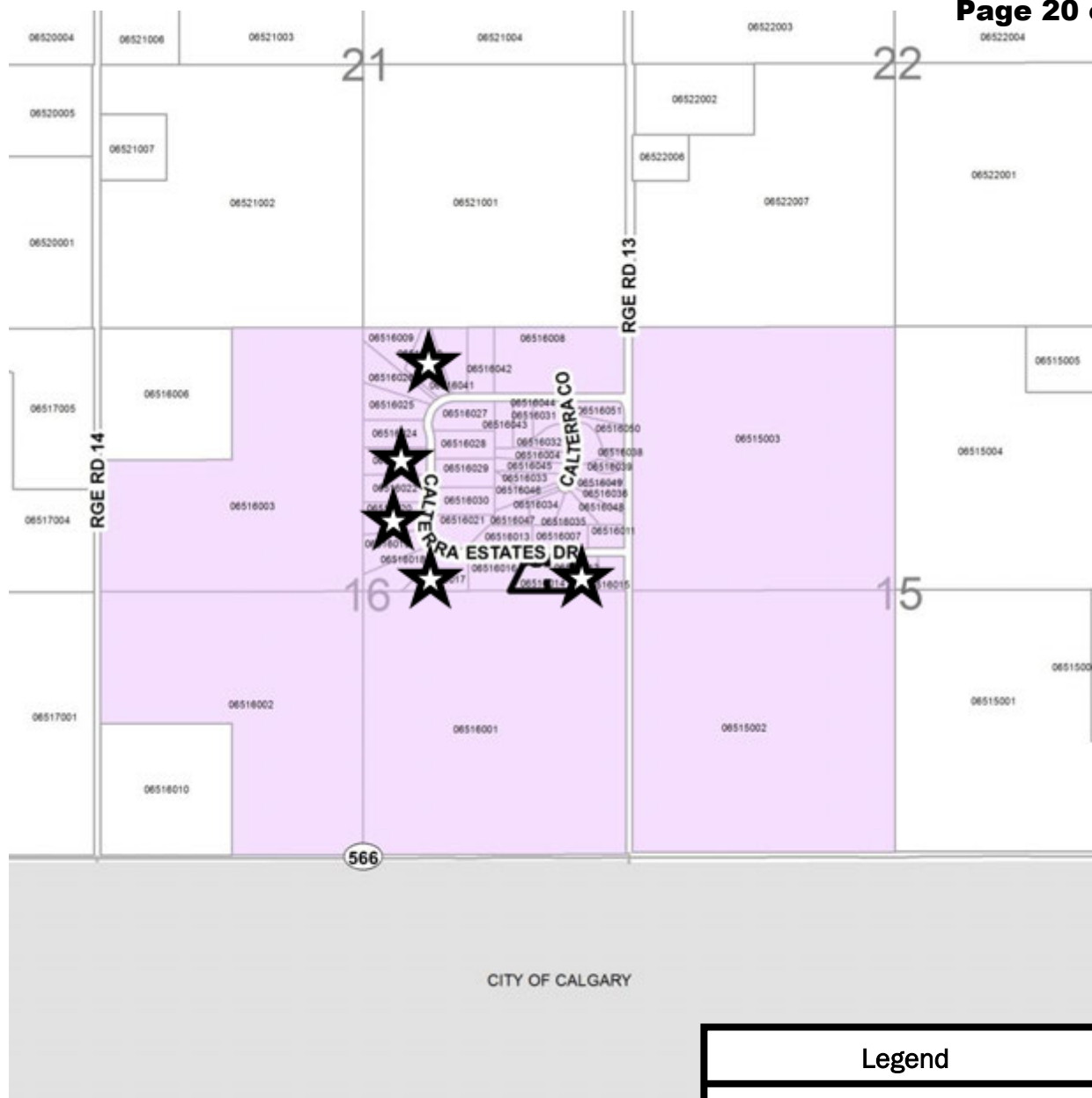
**Legend – Plan numbers**

- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

HISTORIC SUBDIVISION MAP

Lot:5 Plan:0010692
NE-16-26-01-W05M

Date: Feb 22, 2017Division # 7File: 06516014**AGENDA****Page 296 of 379**



Legend



Circulation Area

Subject Lands



Letters in Opposition

Letters in Support

LANDOWNER CIRCULATION AREA

Lot:5 Plan:0010692
NE-16-26-01-W05M

Deputy Municipal Clerk
Legislative and Legal Services
Rocky View County Office
911 - 32 Avenue NE
Calgary, Alberta T2E 6X6

Reference: Bylaw C-7727-2017 – A Bylaw of Rocky View County for Land Use Bylaw C-4841-97

Application Number: PL20170150 (06516014)

Location: Lot 5 (Plan 0010692; NE-16-26-1-W5M)

June 26, 2018

Dear Sir or Madam:

I am writing to provide our support to the subdivision of Lot 5 (Plan 0010692; NE-16-26-1-W5M) as it has been presented. It is our belief that the proposed subdivision meets all of the relevant requirements, is well designed and represents a great opportunity for Calterra Estates community to grow and expand.

Our support for the subdivision is based on a number of factors. Firstly, as the proposed owners of the subdivision are immediate family members, allowing the proposed subdivision would be beneficial for our family now and in the foreseeable future. In this regard, it is our belief that the subdivision will allow our children to live next to and spend more time with their grandparents. The subdivision will also create opportunities for my family to provide assistance to and support my parents as they enter into their retirement years and continue to age.

Secondly, the proposed subdivision is consistent with the broader community's goals/objectives and represents a positive opportunity for Calterra Estates. The potential impact of the proposed subdivision has been minimized through smart design (e.g. setting the dwelling back from the main road and locating the dwelling where it will not impact the daylight available for adjacent residents). In addition, the design of the proposed dwelling is consistent with the current development in the community (e.g. similar in design, scale and dimensions to neighbouring properties) and would complement the current development in the community. As such, it is our view that the proposed subdivision represents an opportunity to grow the community in a sustainable manner and embodies the foreseeable evolution of Calterra Estates.

Thirdly, the addition of a new property and residents will have tangential benefits to the community and its current residents. It is foreseeable that the new dwelling will create the perception of growth in the community and encourage an associated increase in property values for the current residents. It is also our belief that the addition of my parents to the current Calterra Estates community will positively contribute to community fabric and safety, as they have a strong sense of community, work ethic and desire to positively contribute in their retirement years.

Finally, we would also like to take this opportunity to identify our concerns that if this proposed subdivision is not approved, it will have a chilling effect on further development/re-development in the

Calterra Estates community. This would have the potential to detrimentally impact existing property values for current residents, while also setting the bar unattainably high for future development or subdivision opportunities.

Thank you for your time and consideration of this support letter and we look forward to your determination that the proposed addition represents a positive addition to our community.

Sincerely,

Kirsten and Jonathon Friesen

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

From: Andrea Joy [REDACTED]
Sent: Tuesday, June 26, 2018 8:11 PM
To: PAA_ LegislativeServices
Subject: Bylaw C-7727-2017

To Whom it may concern,

My family and I are writing on behalf of the Friesen Family in Calterra Estates. We live in this community as well.

We would like to say that we support the proposed project the Friesen family wants to do. It fits in with the way we see the neighbourhood evolving and we can see how it will increase the value on all of our properties in this great community. It will be very nice to see the lot being used and are very happy that a family will be moving in.

We hope you will allow this project to go through!

Thanks,

Andrea & Jason Johnson
[REDACTED]

Reference: Bylaw C-7727-2017 – A Bylaw of Rocky View County for Land Use Bylaw C-4841-97

June 26, 2018

To Whom it may Concern:

I am writing to express our support for the subdivision application of Jonathon and Kirsten Friesen on behalf of Terry and Helen Ohlhauser.

We support this proposed subdivision as we believe it fits well with the growth the community of Calterra Estates is currently experiencing. The proposed development is consistent functionally and aesthetically with the existing homes. In addition, the fact that the motivation for the new home is driven namely by the desire of the grandparents looking to live closer to their children and grandchildren. This is also in line with the neighbourhood culture as there is another multi-generation family already living near each other here.

Thank you for your time and we hope this is approved so we are able to see growth and added value to our community.

Doug and Wendy Knutson

[REDACTED]

Reference: Bylaw C-7727-2017 -- A Bylaw of Rocky View County for Land Use Bylaw C-4841-97

June 26, 2018

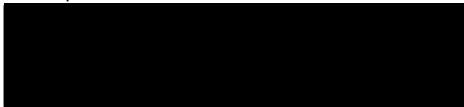
To Whom it may Concern:

I am writing to express our support for the subdivision application of Jonathon and Kirsten Friesen on behalf of Terry and Helen Ohlhauser.

We support this proposed subdivision as we believe it fits well with the growth the community of Calterra Estates is currently experiencing. The proposed development is consistent functionally and aesthetically with the existing homes. In addition, the fact that the motivation for the new home is driven namely by the desire of the grandparents looking to live closer to their children and grandchildren. This is also in line with the neighbourhood culture as there is another multi-generation family already living near each other here.

Thank you for your time and we hope this is approved so we are able to see growth and added value to our community.

Billy and Yasin Peshke



Handwritten signatures of Billy and Yasin Peshke. The signature on the left is stylized and appears to be 'Billy Peshke'. The signature on the right is 'Yasin Peshke'.

From: Calterra [REDACTED]
Sent: Wednesday, September 27, 2017 5:44 PM
To: Stefan Kunz
Cc: Calterra Country Estates
Subject: Rockyview file PL20170030 (subdivision) and PL20170150 (Conceptual Scheme Amendment)

September 27, 2017

To: Mr. Stefan Kunz
 Rocky View County, Planning Services

From: Calterra Land Developments Inc., developer of Calterra Estates®
 Mr. Peter Schlee (owner, Lot 12 Block 2 Plan 1310907)

RE: Rockyview file PL20170030 (subdivision) and PL20170150 (Conceptual Scheme Amendment)
 Lot 5, Plan 0010692 (Roll # 06516014)
 12 Calterra Estates Drive

We are submitting our comments and attached request in response to your circulation notice dated September 7, 2017 regarding the Conceptual Scheme Amendment application and subsequent Subdivision application for the above noted 4-acre lot.

We trust you are aware that this specific lot was approved for subdivision into its current 4-acre lot size in 1998 and subsequently endorsed for subdivision by Rocky View County in February 2000. The formal title was issued by Land Titles in March 2000 as Plan 0010692. As this subdivision and lot creation preceded both the formal Conceptual Scheme creation and formal approval (in June 2000), the lot was not included in any of the associated engineering planning and site testing that were part of the original Conceptual Scheme, including any formal Stormwater Management Plan considerations (SWMP & SWMF), Traffic Impact Assessment (TIA), or any of the prior required geotechnical and percolation testing associated with the other 4-acre lots in the Calterra development.

This lot may still require appropriate formal redesignation from R2 to R1 zoning, as the prior redesignation of the adjacent lot in September 2001 (Bylaw C-5417-2001) was only for the 2 lots on the north side of the Calterra Estates Drive road (Roll 06516007/013), excluding the 4-acre lots on the south side of the road (Roll 06516014). Bylaw C-5437-2001 in November 2001 also did not apply to this lot, as it specifically applied to the 4-acre lot on the north side of Calterra Estates Drive that was the subject of the boundary adjustment application and registration. Subsequent assumptions of the inclusion of the 4-acre lots on the south side of Calterra Estates Drive created in 2000 (Plan 0010692) and early 2001 (Plan 0110899) were in error, and incorrectly subsequently identified these lots with R1 zoning by Rocky View County. These lots were previously confirmed by the County as having R2 zoning in 1998 and 2000. *We trust that Rocky View will correct this error or omission with a proper formal R2 to R1 redesignation application.*

Notwithstanding the missing or omitted requirement for the proper formal redesignation of the lot from R2 to R1 zoning, we would appreciate your confirmation of whether there have been any of the required engineering testing and design reports submitted to Rocky View in support of these applications, and the specific identification of these for our reference. The engineering reports normally requested by Rocky View included the lot-specific SWMP (including detailed SWMF requirements), TIA, site geotechnical and percolation testing, and any other requirements requested by the County. If such reports are currently available in electronic format, we would appreciate if you can forward such electronic copies to us for our review of any impacts on our existing amenities, or to determine the current requirement levels for similar 4-acre lot resubdivisions planned by other 4-acre lot owners within our development area.

If the new and current lot resubdivision process no longer requires creation or provision of such engineering reports or designs, and does not require any further stormwater facilities or amenities other than what we current have available within our development area (excluding this specific lot, which is not included in any of our existing SWMF amenities), we would appreciate such confirmation at your earliest opportunity so other similar lots in our development area can also proceed with similar resubdivision plans on similar terms.

Finally, as the original providers of the existing conceptual scheme in June 2000 (provided solely at our cost and expense), we would like to request that the remaining 4-acre lots be allowed the opportunity to participate in a single joint final conceptual scheme amendment jointly with the current amendment application, where the amendment costs can be shared equally among the participating lot owners, but also to avoid 8 or 10 individual amendment applications (individually for each lot) to the one common conceptual scheme to avoid further plan fragmentation and loss of relevance. If given the opportunity, the 8 or 10 individual lot owners could be easily accommodated with a single simple Conceptual Scheme Amendment indicating the similar plans of the remaining lot owners and the final future design of the completed development.

Please let us know if any of the required engineering reports and designs can be sent to us by email, and if the existing Amendment to the Conceptual Scheme can be properly corrected to reflect the joint participation and future plans of the other remaining lot owners. Thank you.

Regards,

Mr. Peter Schlee
Calterra Land Developments Inc.
[REDACTED]
website: www.CalterraEstates.com

September 27, 2017

Planning Services Department
Rocky View County
911 – 32 Avenue NE
Calgary, AB T2E 6X6

Attention: Stefan Kunz

RE: File Number: 06516014
Application Number: PL20170030

We are writing to submit our comments and concerns on technical matters in regards to the Subdivision Application submitted for the property next to ours (see file and application number noted above).

- **Power**
We would like clarification on where the new power supply will come from and if there may be possible trenching needed if applicant goes underground.
- **Water**
Rocky View Water Coop had confirmed years ago that there wasn't capacity for expansion. Will the applicant be drilling a well or applying for Rocky View Water Coop membership? Will this affect our current water pressure? We will need clarification on that.
The water shutoffs for Lot 1 are already located on our property. Since our place is fully landscaped with underground sprinklers installed, will the County require shutoffs to be moved to Lot 1 at this time and how without disrupting our property? Proposed action on this will need to be addressed either by Rocky View Water Coop, County, and/or applicant.
- **Sewage**
The previous owner of Lot 1 had difficulty with septic system, had to replace it twice. We would like a percolation test done and what the proposed area of the new lots system will be and where it would be located in relation to our property lines.
- **Access**
Would need proposal for new approaches and how they would affect the bus pickup area and the existing postal boxes. Would the cul-de-sac be affected with more approaches and would Rocky View be putting in a new turn off lane for the south exit into Calterra Estates Drive with the added traffic?

If you need any further details or clarification in regards to our comments, we may be reached at [REDACTED]
[REDACTED] or by email at [REDACTED]

Regards,

Chuck & Marilyn Titterington
[REDACTED]
[REDACTED]



PLANNING SERVICES

TO: Subdivision Authority
DATE: November 27, 2018
FILE: 08422002
SUBJECT: Subdivision Item – Industrial – Business Highway Frontage District

DIVISION: 6
APPLICATION: PL20180086

¹POLICY DIRECTION:

The application was evaluated against the terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, as well as the policies within the County Plan and the Co-op Master Site Development Plan, and was found to be compliant:

- The proposal is consistent with the land use designation approved in 2018;
- The proposal is consistent with adopted Co-op Master Site Development Plan; and
- All technical matters are addressed through the suggested conditions of approval.

EXECUTIVE SUMMARY:

The purpose of this application is to create a ± 1.62 hectare (± 4.00 acre) parcel with a ± 53.97 hectare (± 133.48 acre) remainder. A portion of the lands were redesignated to the Business Highway Frontage District when the Co-op Master Site Development Plan (MSDP) was adopted in 2017 to create a planning framework for a Co-op Gas Bar, Convenience Store, and Drive-Through Restaurant. The lands are located along Highway 2, east of Crossfield, along the existing service/rest-stop area.

Administration determined that the application meets policy.

PROPOSAL: To create a ± 1.62 hectare (± 4.00 acre) parcel with a ± 53.97 hectare (± 133.48 acre) remainder.	GENERAL LOCATION: Located at the southeast junction of Twp. Rd. 284 and Rge. Rd. 293 (Hwy 2 Service Road), and approximately 0.81 km (1/2 mile) east of the town of Crossfield.
LEGAL DESCRIPTION: A portion of NE 22-28-29-W04M	GROSS AREA: ± 55.64 hectares (± 137.48 acres)
APPLICANT: Global Raymac Surveys Inc. OWNER: Robert J. Aldred	RESERVE STATUS: Reserves outstanding comprise 10% of the parent parcel.
LAND USE DESIGNATION: Business Highway Frontage District (B-HF)	LEVIES INFORMATION: Transportation Off-Site Levy (Bylaw C-7356-2014) is applicable
DATE APPLICATION RECEIVED: July 24, 2018 DATE DEEMED COMPLETE: July 24, 2018	APPEAL BOARD: Municipal Government Board

¹ **Administration Resources**

Jessica Anderson, Planning Services
Erika Bancila, Engineering Services



<p>TECHNICAL REPORTS SUBMITTED:</p> <p>No technical reports submitted with the application.</p>	<p>LAND USE POLICIES AND STATUTORY PLANS:</p> <ul style="list-style-type: none"> • County Plan (Bylaw C-7280-2013) • Land Use Bylaw (Bylaw C-4841-97)
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PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 23 adjacent landowners. No letters were received in response. The application was also circulated to a number of internal and external agencies. Those responses are available in Appendix 'B'.

HISTORY:

- February 27, 2018** An application (PL20170118) was approved to redesignate a portion of the subject lands from Ranch and Farm District to Business – Highway Frontage District.
- February 27, 2018** The Co-op Master Site Development Plan for a Co-op Gas Bar/Convenience Store/Drive-Through Restaurant was approved (PL20180117).
- 1974** Plan 741 0680 was registered creating one ± 8.61 acre parcel from the subject quarter.
- Historic** Plan 108 HT was registered creating one ± 5.50 acre parcel from the subject quarter.

TECHNICAL CONSIDERATIONS:

This application was evaluated in accordance with the matters listed in Section 7 of the Subdivision and Development Regulation, which are as follows:

a) The site's topography:

The proposed lot intended for development is relatively flat with drainage flowing to the southwest portion of the lands. There is an existing wetland on the site adjacent to the east boundary and one constructed dugout. Neither of these would inhibit development potential.

Conditions: None.

b) The site's soil characteristics:

The subject lands contain Class 2 soils with slight limitations to cereal crop production due to temperature limiting factors, low moisture holding or supplying capability, adverse texture and adverse topography (steep and/or long uniform slopes).

Conditions: None

c) Stormwater collection and disposal:

As part of the adopted MSDP, a Geotechnical Investigation was provided along with a conceptual Stormwater Management Report. Stormwater is proposed to be managed via construction of a stormwater pond with controlled release to ditching along Township Road 284. The stormwater design for the parcel to the south includes a stormwater pond at the northeast corner of the site that releases stormwater through the subject lands towards Township Road 284. As a condition of approval, the Applicant would be required to register a drainage easement along the east side of the subject lands to ensure that drainage from the lands to the south is not impeded or blocked. As a condition of Development Permit approval, the Applicant would be required to submit a detailed Stormwater Management Report and enter into a Development Agreement for construction of all on-site infrastructure.



Conditions: 2

d) Any potential for flooding, subsidence, or erosion of the land:

As part of the adopted MSDP, an Environmental Project Review determined that the proposed development has the ability to impact valued ecosystem components (VECs) that exist within the subject lands such as wildlife and vegetation. As a condition of the future Development Permit, the Applicant would be required to conduct a Biophysical Impact Assessment to assess the on-site VECs and provide mitigation measures to be implemented into the detailed design of the site. The Environmental Project Review also indicates that a dugout and ephemeral wetland exist within the boundaries of lands proposed to be developed. The MSDP indicates that a 10 m setback from the wetland shall be maintained to sustain the wetland; however, the dugout would be lost/developed. At the future Development Permit stage, the Applicant would be required to obtain all necessary approvals from Alberta Environment and Parks for loss of the dugout or any other areas of environmental significance.

Conditions: None.

e) Accessibility to a road:

Access is currently available via a paved approach from Township Road 284. A second paved approach from Range Road 293 is proposed to be constructed at the Development Permit stage. A Traffic Impact Assessment was provided and demonstrated that no additional off-site improvements are required. The Applicant/Owner is required to provide payment of the Transportation Off-Site Levy (Base Levy), as amended, for Lot 1 in accordance with the applicable levy at the time of subdivision approval.

- The estimated levy payment owed at time of subdivision endorsement is \$18,380 (Base = \$4,595/ac x 4.00 ac = \$18,380).

Conditions: 4

f) Water supply, sewage, and solid waste disposal:

As per the adopted MSDP, the development would use holding tanks and cisterns, with a trucked service disposing of wastewater and providing potable water. Fire water supply would be provided via the on-site stormwater pond and drafting hydrant that would meet the requirements of NFPA 1142. As a condition of future Development Permit, the Applicant would be required to provide the detailed design of the on-site stormwater pond and drafting hydrant to ensure the design complies with the requirements of NFPA 1142.

Conditions: None.

g) The use of the land in the vicinity of the site:

The land use in the vicinity of the subject land is generally agricultural with two General Business parcels to the immediate south and to the northwest of the highway. In addition, there are two small agricultural parcels: one to the north and one to the south.

The proposed development is generally consistent with existing land uses and parcel sizes along the existing service/rest-stop area.

Conditions: None

h) Other matters:

Municipal Reserves

This location has not been identified for future Municipal Reserve acquisition to support a public park, open space, or development of an active transportation network inclusive of pathway or trail



development. Therefore, reserves shall be provided via cash in lieu for proposed Lot 1, and deferred on the remainder. This is consistent with policy 11.3 of the adopted MSDP.

- Proposed Lot 1: ± 1.62 hectares (± 4.00 acres) * 10% = 0.40 acres * \$11,000.00 (as per the appraisal completed by Altus Group dated September 12, 2018) = \$4,400.00

The exact area of the lands to be deferred would be determined by the Plan of Survey at the time of endorsement.

Conditions: 5

POLICY CONSIDERATIONS:

Co-op Master Site Development Plan (February 27, 2018)

Section 11.2 Proposed Subdivision

As illustrated by Figure 13: Proposed Subdivision, the developer proposes to subdivide the N ½ Section 22-28-29-W4M to create a ± 4 ac parcel with a ± 133.5 ac remainder. An application for subdivision will be submitted to the County at such time the proposed land use amendment is adopted.

- The proposal is consistent with the MSDP.

Land Use Bylaw (C-4841-97)

The subject land holds a Business – Highway Frontage land use designation, which is the appropriate designation for the proposed lot.

CONCLUSION:

The lands are not located within the policy area of an area structure plan, and as such, the proposal was evaluated in accordance with the County Plan and Co-op Master Site Development Plan. The proposal is consistent with the land use designation approved in 2018, is consistent with adopted Co-op Master Site Development Plan, and all technical matters are addressed through the suggested conditions of approval.

OPTIONS:

- Option #1: THAT Subdivision Application PL20180086 be approved with the conditions noted in Appendix 'A'.
- Option #2: THAT Subdivision Application PL20180086 be refused as per the reasons noted.

Respectfully submitted,

Concurrence,

“Sherry Baers”

“Rick McDonald”

Executive Director
Community Development Services

Interim County Manager

JA/rp



APPENDICES:

APPENDIX 'A': Approval Conditions

APPENDIX 'B': Application Referrals

APPENDIX 'C': Map Set



APPENDIX 'A': APPROVAL CONDITIONS

- A. The application to create a ± 1.62 hectare (± 4.00 acre) parcel with a ± 53.97 hectare (± 133.48 acre) remainder within NE-22-28-29-W04M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
 1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Other

- 2) The Owner shall secure an agreement with the owner(s) of Block A, Plan 108 HT for the purposes of securing a downstream discharge easement for overland stormwater flow.

Payments and Levies

- 3) The Applicant/Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.
- 4) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with the Transportation Off-Site Bylaw C-7356-2014. The County shall calculate the total owing:
 - i. From the total gross acreage of Lot 1 as shown on the Plan of Survey.

Municipal Reserve

- 5) The provision of Reserve in the amount of 10 percent of the area of Lot 1, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by (Altus Group / 13120.102658.015 / September 12, 2018), pursuant to Section 666(3) of the *Municipal Government Act*:
 - i. A Deferred Reserve Caveat shall be registered on the remainder lands.



Taxes

- 6) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

APPENDIX B: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No comments received.
Calgary Catholic School District	No comments received.
<i>Province of Alberta</i>	
Alberta Transportation	<p>By definition, this proposal must meet the requirements of Section 14 of the Subdivision and Development Regulation due to the proximity of Highway 2. Presently, the application does not appear to comply with any category of Section 14 of the Regulation.</p> <p>Highway 2 is a designated freeway with access locations identified in the Freeway and Access Locations Designation Order (Order in Council 587/09). The existing service road ramps are not presently designated as freeway access locations.</p> <p>The direct access ramps to the proposed development and the service road will be closed and removed when Highway 2 requires eight core lanes (four lanes each direction) and is anticipated to be required around the year 2035-2040 depending on growth / development in the area. This should be included within the Master Site Development Plan.</p> <p>The proposed North Central Industrial Structure Plan contemplates an interchange to be developed at Range Road 285 and Highway 2. This interchange, which is subject to further approvals and functional planning, would have a significant impact on the access ramps to the existing and proposed development in this area. Development of this interchange (if approved) would also require removal of the direct access ramps, and relocation of access to this interchange and/or Highway 72. It should be noted that an interchange at Township Road 285 is not presently contemplated as a designated freeway access location.</p> <p>A roadside development permit is required for subsequent development activity, as noted in the Master Site Development Plan.</p> <p>Alberta Transportation has no objection to this proposal. The department grants an unconditional variance of Section 14 of the Subdivision and Development Regulation. From the department's perspective, any appeals to be heard regarding this subdivision application must be heard by the Municipal Government Board.</p>
Alberta Culture and Community Spirit (Historical Resources)	No comments received.

AGENCY	COMMENTS
Alberta Energy Regulator	No comments received.
Alberta Health Services	I would like to confirm that Alberta Health Services, Environmental Public Health has received the above-noted application. At this time we do not have any concerns with the information as provided. Please contact me if the application is changed in any way, or you have any questions or concerns.
<i>Public Utility</i>	
ATCO Gas	ATCO Gas has no objection to the proposed as it does not fall within our franchise area.
ATCO Pipelines	ATCO PIPELINES has no objection.
AltaLink Management	No comments received.
FortisAlberta	<p>Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.</p> <p>FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.</p>
Telus Communications	No comments received.
TransAlta Utilities Ltd.	No comments received.
Rockyview Gas Co-op Ltd.	In regards to the Rocky View Application: PL20180086, Rockyview Gas Co-op Ltd. has no requirements or conditions for this subdivision application. We have no comments to submit and have no objections with the subdivision proceeding.
<i>Other External Agencies</i>	
EnCana Corporation	No comments received.
Town of Crossfield	The Town of Crossfield has no objections or concerns regarding this proposed subdivision.
Nexen Energy	No comments received.
<i>Rocky View County Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldmen	No comments received.



AGENCY	COMMENTS
Crossfield Recreation Board	The Crossfield Recreation Board recommends taking Cash in Lieu for this subdivision.
<i>Internal Departments</i>	
Municipal Lands	<p>This location has not been identified for future Municipal Reserve acquisition to support public park, open space, or development of an active transportation network inclusive of pathway or trail development.</p> <p>The Municipal Lands office recommends taking cash in lieu for reserves owing for proposed Lot 1 of this subdivision proposal.</p>
Development Authority	No comments received.
GeoGraphics	No comments received.
Building Services	No comments received.
Agricultural Services	<p>If this application were to be approved, the application of the Agricultural Boundary Design Guidelines would be beneficial in buffering the business from the agricultural land uses surrounding the parcel. The guidelines would help mitigate areas of concern including: trespass, litter, pets, noise and concern over fertilizers, dust & normal agricultural practices.</p>
Emergency Services	The Fire Service has no comments at this time.
Enforcement Services	Enforcement has no concerns
Infrastructure and Operations - Engineering Services	<p><u>General</u></p> <ul style="list-style-type: none"> • The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures; • As a condition of future DP, the applicant will be required to submit a construction management plan addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details; • As a condition of future DP, the applicant will be required to submit a chemical management plan providing detail on the storage and handling of chemicals as well as emergency response procedures in case of a spill onsite; • As a condition of future DP, the applicant shall be responsible to dedicate all necessary easements and ROWs for utility line assignments and provide for the installation of all underground shallow utilities with all necessary utility



AGENCY

COMMENTS

providers to the satisfaction of the County

Geotechnical - Section 300.0 requirements:

- ES has no concerns
 - As part of the MSDP, the applicant provided a geotechnical investigation prepared by McIntosh Lalani dated May 02, 2017 which evaluated the onsite subsurface soil conditions and provides various recommendations to be incorporated in the future design of the onsite facilities and construction practices. The investigation also indicated that a shallow groundwater conditions exist within the site. All future designs shall follow and incorporate the recommendations of the geotechnical investigation including the onsite stormwater management pond to mitigate against the shallow groundwater conditions.

Transportation:

- As a condition of Subdivision endorsement, the applicant will be required to provide payment of the Transportation Off-Site Levy in accordance with the applicable levy at time of approval for the total gross acreage of the lands proposed to be developed. As per current Bylaw, the estimated TOL is $\$4595/\text{acre} \times 4 \text{ acres} = \$18,380$
 - As part of the MSDP application, the applicant provided a Traffic Impact Assessment prepared by Bunt & Associates dated May 30, 2017. The TIA took into consideration the impact of the proposed development together with the growth in background traffic to determine the impacts to the existing road network. The TIA concludes that all studied roadways and intersections will continue to operate within acceptable parameters in the 20 year post development condition. ES has reviewed the TIA and has no further concerns;
 - The TIA also provided a geometric review of the access ramps from Highway 2 due to AT's future plans to widen Highway 2 to a six lane and then later an eight lane cross-section; Highway 2 currently has two northbound lanes adjacent to the subject lands (four lane cross-section). AT has reviewed the geometric configuration and has indicated that the construction of the fourth northbound lane (eight lane cross-section) or construction of an interchange at Highway 2 and TWP Road 285 will require closure of the existing access ramps from Highway 2. Once the access ramps are closed, the site will be accessible via the local road network from the future interchange at Highway 2 and TWP Road 285;
 - As the subject lands are within 1600 m of Highway 2, as
-

AGENCY	COMMENTS
	<p>a condition of future DP, the applicant will be required to obtain a roadside DP from AT;</p> <ul style="list-style-type: none"> ○ There currently exists a paved approach from TWP Road 284 to the subject lands. It is to be noted that the current site concept provides for an additional paved approach onto RR 293 to be constructed at time of DP. <p><u>Sanitary/Waste Water</u></p> <ul style="list-style-type: none"> • ES has no concerns <ul style="list-style-type: none"> ○ As per the MSDP, the applicant is proposing to utilize holding tanks with a trucked service to dispose of wastewater. <p><u>Water Supply And Waterworks</u></p> <ul style="list-style-type: none"> • ES has no concerns at this time. <ul style="list-style-type: none"> ○ As per the MSDP, the applicant is proposing to utilize cisterns and a trucked service to supply potable water to the proposed development. ○ The applicant provided a Servicing Review for the proposed development prepared by Veritas Development Solutions dated April 2017. The document indicates that the fire water supply will be available via the onsite stormwater pond and drafting hydrant which will meet the requirements of NFPA 1142. ○ As a condition of future DP, the applicant will be required to provide the detailed design of the onsite stormwater pond and drafting hydrant to ensure the design complies with the requirements of NFPA 1142. <p><u>Storm Water Management</u></p> <ul style="list-style-type: none"> • ES has no concerns at this time <ul style="list-style-type: none"> ○ As part of the MSDP, the applicant provided a stormwater management report prepared by ISL Engineering dated June 2017. ES has reviewed the report and has no further concerns. The report evaluated the pre and post development conditions and providing the sizing of the future stormwater pond with a controlled release which is to be constructed near the NE corner of the subject lands. ○ It is to be noted that the parcel directly south of the subject lands was recently re-developed to include a paved parking lot under PRDP20162660. The stormwater design for the parking lot contemplated a stormwater pond at the NE corner of the site which releases stormwater through the subject lands towards TWP Road 284. As a condition of subdivision, the applicant will be required to register a drainage easement along the east side of the subject lands to ensure that drainage from the lands to the south is not

AGENCY	COMMENTS
	<p>impeded or blocked;</p> <ul style="list-style-type: none"> ○ As a condition of future DP, the applicant is required to submit detailed engineering drawings for the stormwater management system, prepared by a qualified professional, in accordance with the stormwater management plan prepared by ISL Engineering and the County Servicing Standards. The design shall take into consideration the offsite flows received from the lands to the south, flows generated by the proposed development and permanent volume requirements for firewater as per NFPA 1142; ○ As a condition of future DP, the applicant is required to provide a sediment and erosion control plan, prepared by a qualified professional, addressing ESC measures to be implemented during construction in accordance with the requirements of the County's Servicing Standards. <p><u>Environmental</u></p> <ul style="list-style-type: none"> • ES has no concerns at this time <ul style="list-style-type: none"> ○ As part of the MSDP, the applicant provided an Environmental Project Review prepared by ISL Engineering dated April 2017. The review concluded that the proposed development has the ability to impact valued ecosystem components (VECs) existing within the subject lands such as wildlife and vegetation. As a condition of future DP, the applicant will be required to conduct a Biophysical Impact Assessment, prepared by a qualified professional, to assess the onsite VECs and provide mitigation measures to be implemented into the detailed design of the site; ○ As per the MSDP, the applicant received clearance from Alberta Culture & Tourism under the Historical Resources Act on October 06, 2017; ○ The Environmental Project Review also indicates that a dugout and ephemeral wetland exist within the boundaries of lands proposed to be developed. The MSDP indicates that a 10m setback from the wetland shall be maintained to sustain the wetland however the dugout will be lost/developed. ○ At time of DP, it shall be the applicant's responsibility to obtain all necessary approvals from AEP under the Water Act for the loss of the dugout or any other areas of environmental significance.
Infrastructure and Operations - Maintenance	No comments received.
Infrastructure and Operations - Capital Delivery	No comments received.



AGENCY	COMMENTS
Infrastructure and Operations – Road Operations	No comments received.
Infrastructure and Operations – Utility Services	No comments received.

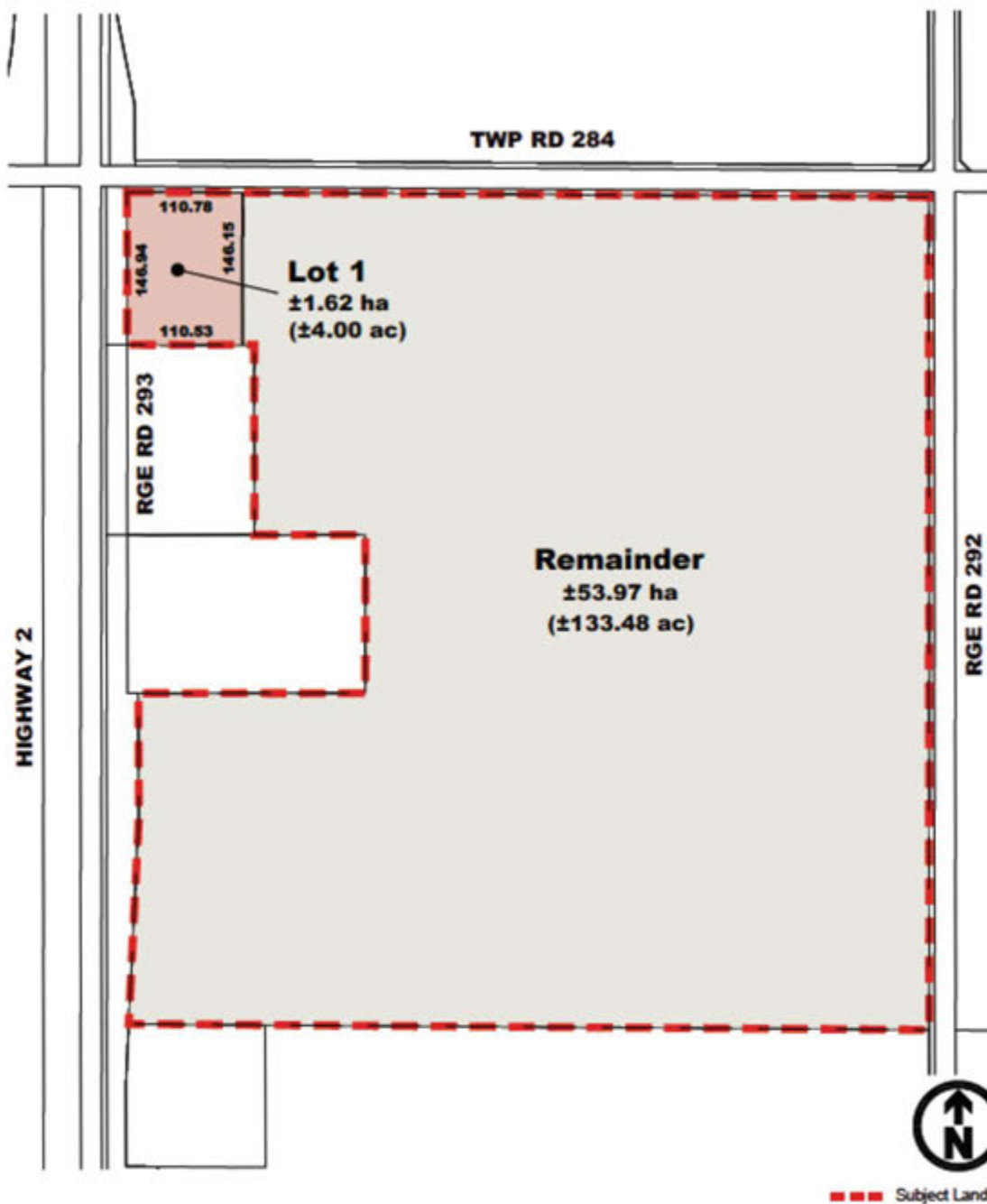
Circulation Period: August 15, 2018 – September 5, 2018



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FIGURE 13 | Proposed Subdivision



• APPROVED BY ROCKY VIEW COUNTY ON FEBRUARY 27, 2018 •

CO-OP MSDP – Proposed Subdivision

NE-22-28-29-W04M

FIGURE 5 | The Development Concept



CO-OP MSDP – Development Concept

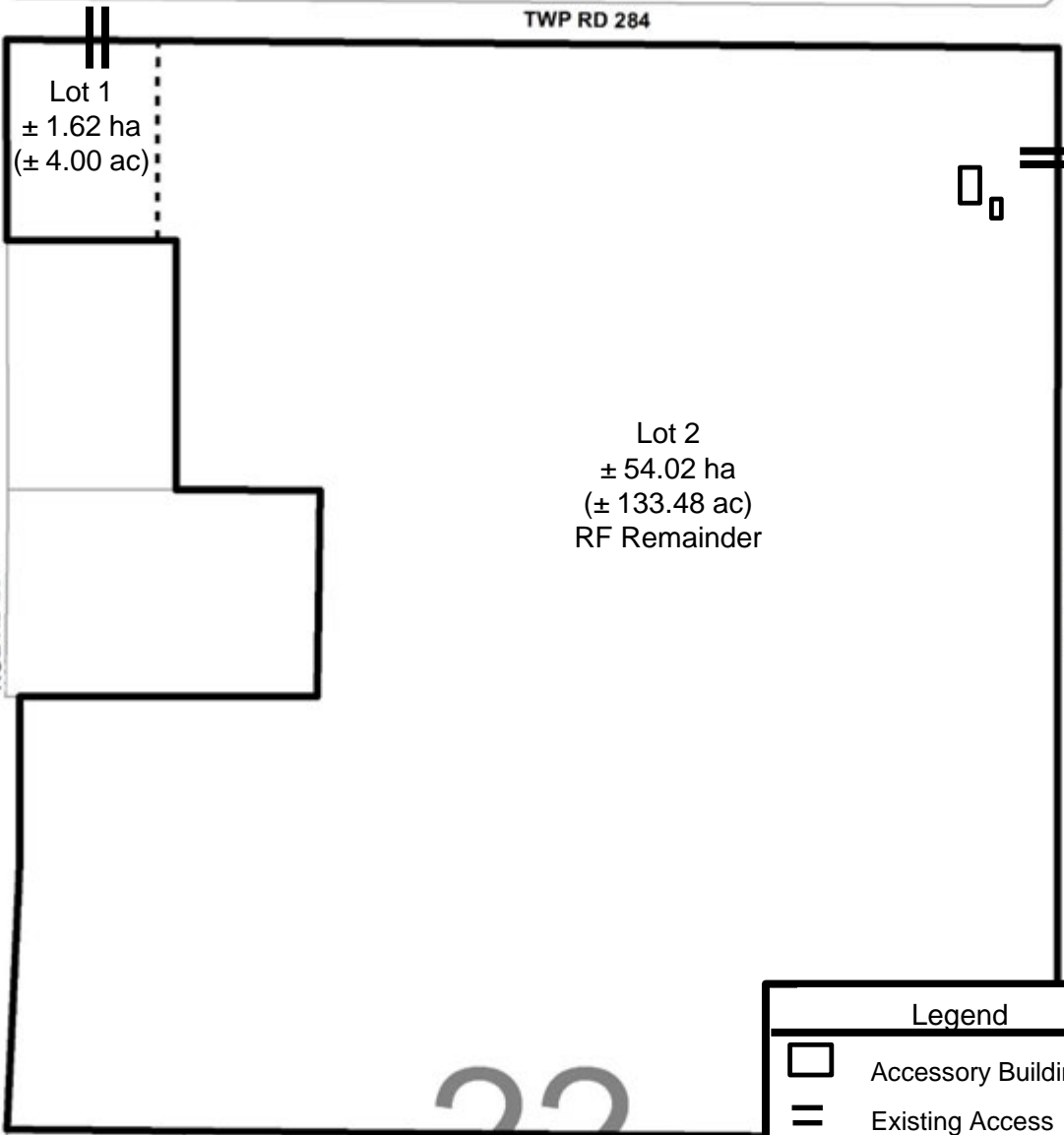
NE-22-28-29-W04M

Subdivision Proposal: To create a ± 1.62 hectare (± 4.00 acre) parcel with
a ± 54.02 hectare (± 133.48 acre) remainder.

APPENDIX 'C': Map Set

J-2

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Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

NE-22-28-29-W04M

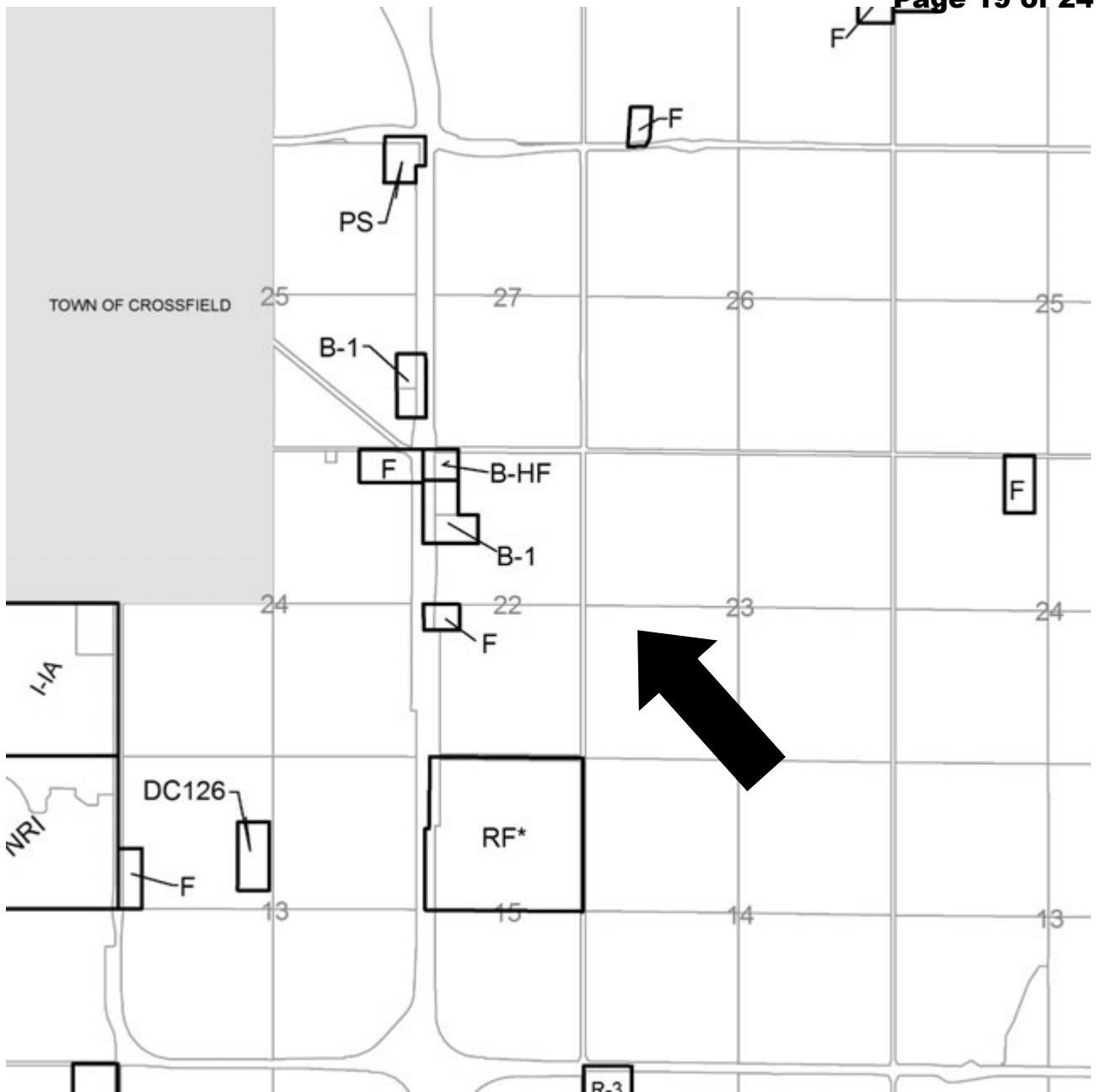
Date: August 1, 2018

Division # 6

File: 08422002

AGENDA

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Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

LAND USE MAP

NE-22-28-29-W04M

TOPOGRAPHY

Contour Interval 2 M



NE-22-28-29-W04M



Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2016

NE-22-28-29-W04M

Date: August 1, 2018

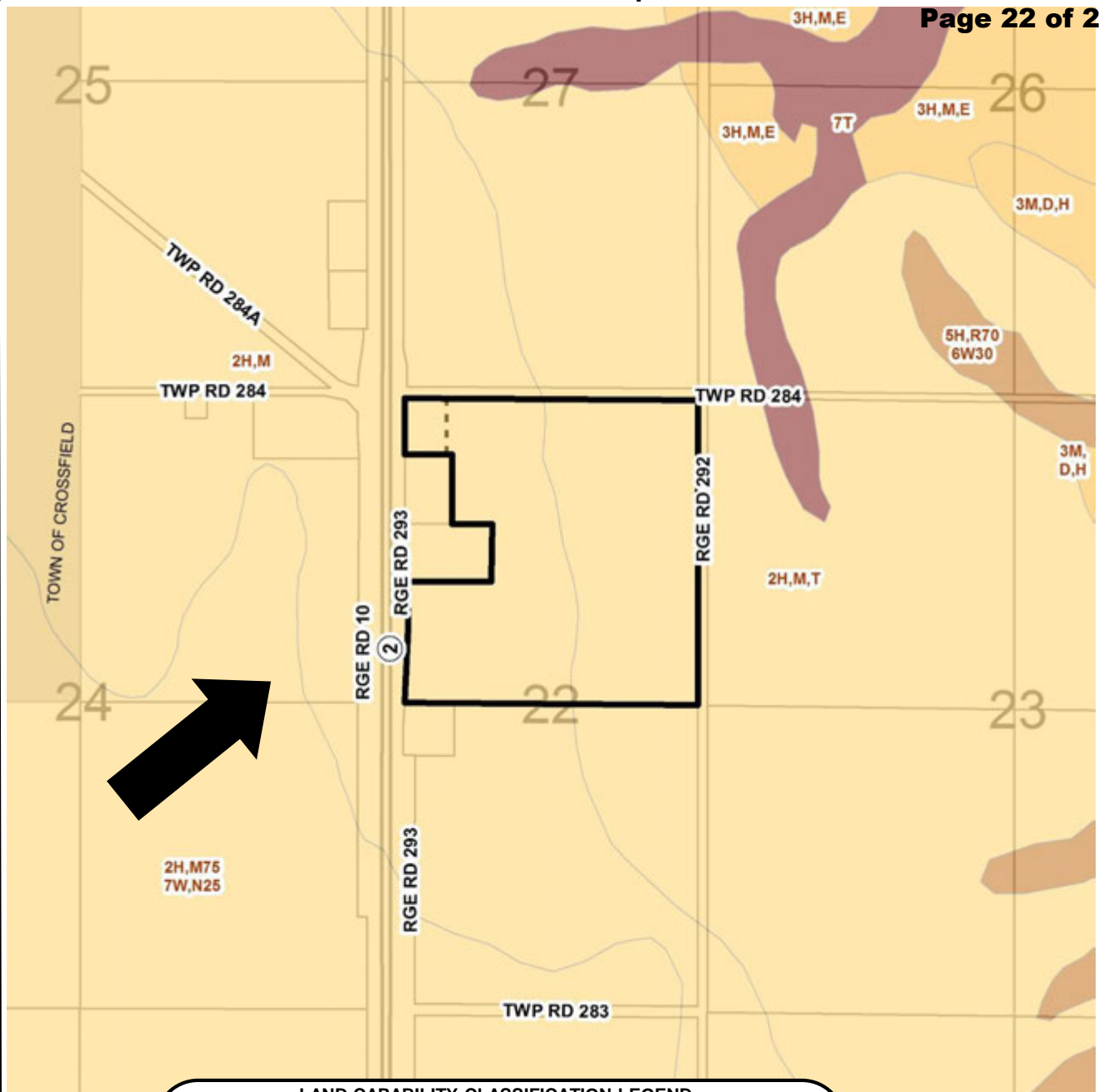
Division # 6

File: 08422002

AGENDA

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LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high sodicity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

SOIL MAP

NE-22-28-29-W04M



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PLANNING SERVICES

TO: Subdivision Authority

DATE: November 27, 2018 **DIVISION:** 5

FILE: 03331036 **APPLICATION:** PL20180094

SUBJECT: Subdivision Item – Direct Control District Bylaw 76

¹POLICY DIRECTION:

The application was evaluated against the terms of Section 654 of the *Municipal Government Act*, Section 7 of the Subdivision and Development Regulations, the Janet Area Structure Plan (JASP), and the Rocky View County / City of Calgary Intermunicipal Development Plan and was found to be compliant:

- The application is consistent with the Statutory Policy;
- There are no requirements for upgrades or additions to the local infrastructure, and no technical or enforcement related concerns;
- The proposed subdivision conforms to the use prescribed in the Direct Control Bylaw and a Development Permit has already been issued.
- The subject lands hold the appropriate land use designation; and
- No development constraints were identified with the proposal.

EXECUTIVE SUMMARY:

The purpose of this application is to create a bareland condominium plan comprising 14 units, common property, and parking.

The lands are accessed off Ryan Road and are developed with one principal building. Servicing for the site involves the usage of water and wastewater holdings tanks. A development permit (PRDP20163861) was recently issued for the construction of a 13 bay industrial warehouse condominium building allowing for a second principal building on site. That building is currently under construction and each bay will consist of an office and warehouse space.

The proposed use of the subject lands conforms with both Direct Control District 76 and the issued Development Permit; however, the 14 Bareland Condominium Units do not meet the minimum parcel size requirement of 1.21 hectares (3.00 acres). Council may approve the subdivision and allow the Applicant to proceed with the development by exercising variance powers under Section 654(2) of the *Municipal Government Act*. No development constraints have been identified with the proposal.

PROPOSAL: The purpose of this application is to create a bareland condominium plan comprising 14 units, common property, and parking.	GENERAL LOCATION: Located approximately 2.41 km (1.5 miles) north of Highway 560 and 0.80 km (0.5) mile west of Range Road 285.
LEGAL DESCRIPTION: Lot 1, Block 2, Plan 0412838 within SW-31-23-28-W04M	GROSS AREA: ± 1.74 hectares (± 4.30 acres)

¹Administration Resources

Jamie Kirychuk, Planning Services
Gurbir Nijjar, Engineering Services

APPLICANT: Tronnes Geomatics OWNER: 18 Sixty Seven Development Inc.	RESERVE STATUS: Municipal Reserves were previously provided.
LAND USE DESIGNATION: Direct Control 76	LEVIES INFORMATION: N/A
DATE APPLICATION RECEIVED: July 20, 2018 DATE DEEMED COMPLETE: July 20, 2018	APPEAL BOARD: Municipal Government Board
TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> N/A 	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> County Plan (Bylaw C-7280-2013) Land Use Bylaw (Bylaw C-4841-97) Janet Area Structure (Bylaw C-7418-2014) Rocky View / Calgary Intermunicipal Development Plan (Bylaw C-7197-2012)

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 129 adjacent landowners. No responses were received. The application was also circulated to a number of internal and external agencies. Those responses are available in Appendix 'B'.

HISTORY:

- November 14, 2017** Application PL20170052 was approved by Council to redesignate the subject lands from Direct Control 76 to Direct Control 76 (amended) to allow for a site-specific amendment to Direct to increase the maximum lot coverage area from 30% to 33%.
- November 6, 2012** DC Bylaw was amended to delete a portion of and add provisions to 2.5.0 – Maximum Requirements (C-7200-2012).
- November 6, 2012** DC Bylaw was amended to delete a portion of and add provisions to 2.4.0- Minimum Requirements (C-7200-2012).
- July 22, 2008** DC Bylaw was amended to delete and replace 2.5.7 – Principal & Accessory Buildings (C-6663-2008).
- January 22, 2002** Original Direct Control Bylaw (C-5479-2001).

TECHNICAL CONSIDERATIONS:

This application was evaluated in accordance with the matters listed in Section 7 of the Subdivision and Development Regulation, which are as follows:

a) The site's topography:

The subject lands are flat and feature no significant waterbodies or topographical features that would inhibit development.

Conditions: None.

b) The site's soil characteristics:

The soils on site are Class 1 and 5, ranging from no limitations to severe limitations due to excessive wetness and poor drainage. As the lands are proposed for business development, there are no concerns with regard to soil considerations.

Conditions: None.

c) Stormwater collection and disposal:

There are no concerns regarding the stormwater collection and disposal with regard to this application.

Conditions: None.

d) Any potential for flooding, subsidence, or erosion of the land:

There are no concerns regarding potential erosion or flooding with regard to this application.

Conditions: None.

e) Accessibility to a road:

The lands are accessed off Ryan Road within the Patton Industrial Park. The Transportation Offsite Levy was previously collected as part of the original subdivision of the subject lands. No further concerns.

Conditions: None.

f) Water supply, sewage, and solid waste disposal:

Servicing for the site involves the usage of water and wastewater holdings tanks.

As a condition of the future Development Permit, the Applicant/Owner would be required to address all fire suppression requirements for the proposed development in accordance with the requirements of NFPA 1142 and all applicable County standards and bylaws.

Conditions: None.

g) The use of the land in the vicinity of the site:

The surrounding land uses primarily consist of business and industrial development. There are a number of Direct Control District uses within the vicinity, as well as General Business, and Industrial-Industrial Activity districts.

Conditions: None.

h) Other matters:

Municipal Reserves were previously provided in full on Plan 041 2838.

Conditions: None.

POLICY CONSIDERATIONS:

The detailed policy review was completed and provided to Council at the redesignation stage with application PL20170052 and was found to be in accordance with the Janet Area Structure Plan and the Rocky View County / City of Calgary Intermunicipal Development Plan. The purpose of application PL20170052 was to allow for the construction of the 13 bay warehouse building by increasing the maximum lot coverage area from 30% to 33%.

Direct Control 76

The proposed use of the subject lands, lot coverage, and building size are in conformity with DC 76, the purpose and intent of which provides for a range of general business uses. However, under Section 3 of the Condominium Property Act, a Bareland Condominium is a Plan of Subdivision and is subject to the same legislation, bylaws, and regulation. Therefore, the proposed Bareland Condominium parcel sizes of ± 0.036 hectares (0.090 acres) do not meet the minimum size requirement of 1.21 hectares (3.00 acres).

Section 654 of the *Municipal Government Act* allows the Subdivision Authority some discretion to provide variances with respect to area and dimensions for reasons of fairness or to recognize unique circumstances pertaining to the property. Section 654 reads:

- (2) *A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,*
- a) *The proposed subdivision would not:*
 - i. *unduly interfere with the amenities of the neighbourhood, or*
 - ii. *materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and*
 - b) *The proposed subdivision conforms to the use prescribed for that land in the land use bylaw*

In this case, the required redesignation (PL20170052) and Development Permit (PRDP20163861) to allow for the construction of the second principal building have been approved and issued. The desired separation of the bare land units would allow for separate ownership of each individual unit and would not increase the overall intensification of the site. Administration has no further concerns.

CONCLUSION:

The application was evaluated in accordance with the Janet Area Structure Plan (JASP), and the Rocky View County / City of Calgary Intermunicipal Development Plan, and Administration determined that:

- The application is consistent with the Statutory Policy;
- There are no requirements for upgrades or additions to the local infrastructure, and no technical or enforcement related concerns;
- The proposed subdivision conforms to the use prescribed in the Direct Control Bylaw, and a Development Permit has already been issued.
- The subject lands hold the appropriate land use designation; and
- No development constraints were identified.

OPTIONS:

- Option #1: THAT Subdivision Application PL20180094 be approved with the conditions noted in Appendix 'A'.
- Option #2: THAT Subdivision Application PL20180094 be refused as per the reasons noted.



Respectfully submitted,

“Sherry Baers”

Executive Director
Community Development Services
JK/rp

Concurrence,

“Rick McDonald”

Interim County Manager

APPENDICES:

APPENDIX ‘A’: Approval Conditions
APPENDIX ‘B’: Application Referrals
APPENDIX ‘C’: Map Set

APPENDIX 'A': Approval Conditions

- A. The application to create a bareland condominium plan comprising 14 units, common property, and parking within Lot 1, Block 2, Plan 0412838, SW-31-23-28-W04M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
 1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Payments and Levies

- 2) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 13 new units.

Taxes

- 3) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

APPENDIX B: APPLICATION REFERRALS

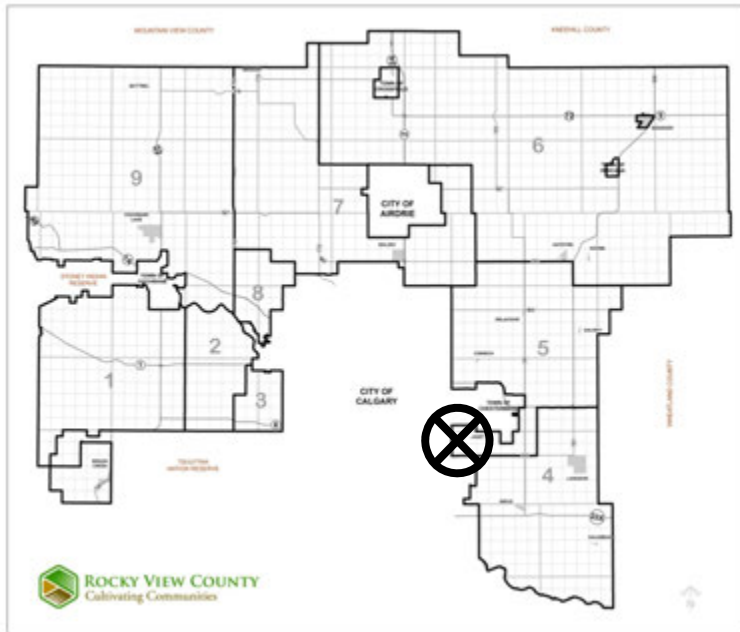
AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	Rocky View Schools has no objection to this circulation.
Calgary Catholic School District	No comments received.
Public Francophone Education	No comments received.
Catholic Francophone Education	No comments received.
<i>Province of Alberta</i>	
Alberta Environment and Sustainable Resource Development (Public Lands)	No comments received.
Alberta Transportation	Not required for circulation.
Alberta Culture and Community Spirit (Historical Resources)	No comments received.
Energy Resources Conservation Board	No comments received.
Alberta Health Services	No comments.
<i>Public Utility</i>	
ATCO Gas	No comments.
ATCO Pipelines	No objection.
AltaLink Management	No comments received.
FortisAlberta	No objection.
TransAlta Utilities Ltd.	No comments received.
Rockyview Gas Co-op Ltd.	No comments received.
<i>Other External Agencies</i>	
City of Calgary	No comments.
Enmax	We have reviewed this plan and have the following comments. 1. Enmax is proposing to install underground power lines to

AGENCY	COMMENTS
	<p>supply electrical service within the Bare Land Condominium area. All associated costs of installing underground power lines will be at the Developer's expense. Enmax utility right-of-way plan and agreement will be required for the new electrical service, inclusive of electrical transformers. Enmax requires utility right-of-way prior to registration of the condominium, once the electrical design is complete. The utility right-of-way must be provided as determined by the electrical design company and any required alterations must be approved by the same. Specific utility right-of-way requirements shall be determined by the electrical design company in consultation with the Developer at the design stage of the project.</p> <p>2. System capacity upgrades may be required in this area to accommodate the new development.</p> <p>Please contact the Key Account Managers at EPCKeyAccounts@enmax.com or GetConnected@enmax.com for more information.</p> <p>3. There are existing 25 kV underground power line and pad-mounted transformer (31 SEE-16) installed crossing Ryan Road, inside the west limit of the subject Bare Land Condominium area (as approximately shown on the attached Tentative plan). If this pad-mounted transformer remains in place, then utility right-of-way may be required to encompass the existing transformer site.</p> <p>4. There is an existing 25 kV three-phase overhead power line installed along the north side of Wrangler Drive crossing Ryan Road, inside the southwest limit of the subject Bare Land Condominium area (as approximately shown on the attached plan).</p> <p>5. There is an existing anchor installed for the above-mentioned 25 kV overhead power line installed within the existing utility right-of-way, inside the southwest limit of the subject Bare Land Condominium (as approximately shown on the attached Tentative plan). The Developer is responsible to maintain the existing utility right-of-way within the subject area.</p> <p>6. The Developer is responsible to maintain clearance of buildings from the above-mentioned pad-mounted transformer and overhead power line in accordance with the Enmax safety clearance criteria (i.e. no temporary or permanent structures to be built within the noncompliance zone, see attached Enmax Standard 6301 and Table 9 of AEUC, respectively).</p> <p>7. There is an existing 25 kV overhead power line installed along the west side of Ryan Road, outside the west limit of</p>

AGENCY	COMMENTS
	<p>the subject Bare Land Condominium area (as approximately shown on the attached Tentative plan). Any relocation, removal, or alteration of the existing Enmax underground and overhead facilities will be done at the Developer's expense.</p> <p>8. Any exposure of Enmax facilities will be subject to inspection prior to backfilling.</p> <p>9. Prior to construction, all underground utilities within the subject area must be located. Please contact Alberta One-Call at 1-800-242-344 7 to locate and identify the buried utilities. If the Developer crosses any existing Enmax underground installations, the Developer should notify Enmax for inspection prior to backfilling the crossing.</p> <p>10. Anyone working near the above-mentioned overhead power lines must maintain Safe Limits of Approach in accordance with the Alberta Electrical and Communication Utility Code, Table 2.1 (i.e. minimum 3.0 m).</p> <p>11. If the Developer requests any change that could affect the existing Enmax structures in the vicinity (e.g. grade changes, relocation, or removal of lines, converting overhead power lines to underground, etc.), the Developer is responsible for all the associated costs for making the changes.</p> <p>12. The Developer would need approval from Enmax before proceeding with changes that could affect Enmax installations.</p>
<i>Rocky View County Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldman	Agricultural Services Staff Comments: No concerns.
Recreation Board	No comments.
<i>Internal Departments</i>	
Municipal Lands	The Municipal Lands Office has no concerns with this application as public parks, open space, or active transportation networks are not affected.
Development Authority	No comments received.
GeoGraphics	No comments received.
Building Services	No comments received.
Enforcement Services	No concerns.

AGENCY	COMMENTS
Emergency Services	<p>Fire Services:</p> <ol style="list-style-type: none"> 1. Please ensure that water supplies and hydrants for the development are sufficient for firefighting purposes. 2. Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the Alberta Building Code. 3. The Fire Service also recommends that the water co-op be registered with Fire Underwriters. 4. Please ensure that access routes are compliant to the designs specified in the Alberta Building Code and RVC's servicing standards.
Infrastructure and Operations - Engineering Services	<p>General</p> <ul style="list-style-type: none"> • The review of this file is based upon the application submitted and may be subject to change to ensure best practices and procedures. • Future development of the site must meet the requirements of the overall engineering plans for the Patton Industrial Park. The subject site has already been approved for a commercial/industrial building. The proposal will have minimal impacts to the area and as such, ES has no requirements at this time. At future DP stage, the site design and technical submissions may be required to be updated to reflect the additional building site coverage. <p>Geotechnical - Section 300.0 requirements:</p> <ul style="list-style-type: none"> • ES has no requirements at this time <p>Transportation - Section 400.0 requirements:</p> <ul style="list-style-type: none"> • ES has no requirements at this time; • The Transportation Offsite Levy has been previously collected as part of the original subdivision of the subject lands. <p>Sanitary/Waste Water - Section 500.0 requirements:</p> <ul style="list-style-type: none"> • The proposed building to be constructed is to be serviced by a sewage holding tank. ES has no requirements at this time; <p>Water Supply And Waterworks - Section 600.0 & 800.0 requirements:</p> <ul style="list-style-type: none"> • The proposed building to be constructed is to be serviced by a potable water cistern. ES has no requirements at this time; <p>Storm Water Management – Section 700.0 requirements:</p> <ul style="list-style-type: none"> • ES has no requirements at this time; • The applicant has already paid the Storm Water Levy in accordance with Bylaw C-7535-2015 (\$5488/acre) as the land proposed for the 13 bay industrial warehouse

AGENCY	COMMENTS
	<p>condominium building was included as part of the development area calculation of the site.</p> <p>Environmental – Section 900.0 requirements:</p> <ul style="list-style-type: none"> • ES has no requirements at this time.
Infrastructure and Operations - Maintenance	No concerns.
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations – Road Operations	No concerns.
Infrastructure and Operations - Utility Services	No concerns.
Circulation Period: August 1 – August 23, 2018	



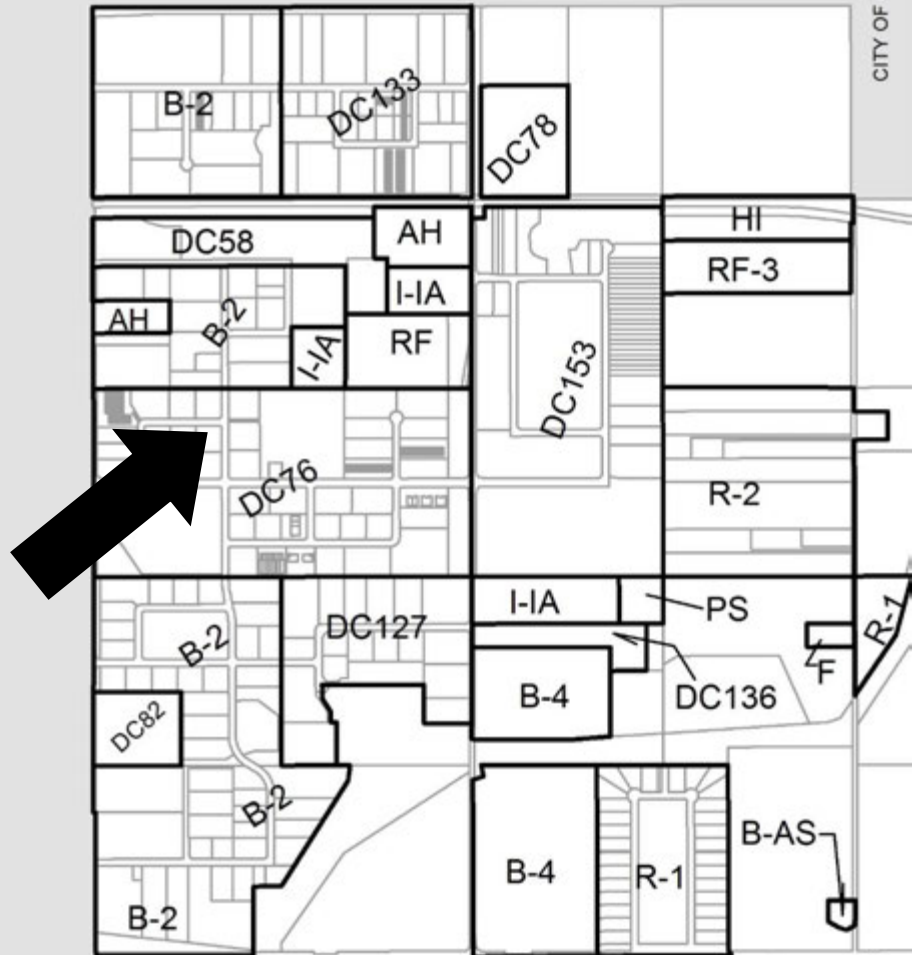
LOCATION PLAN

Lot:1 Block:2 Plan:0412838
SW-31-23-28-W04M

Date: Nov 8, 2018Division # 5File: 03331036

CITY OF CALGARY

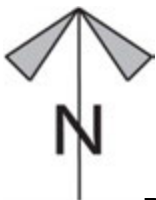
CITY OF CHESTERMERE

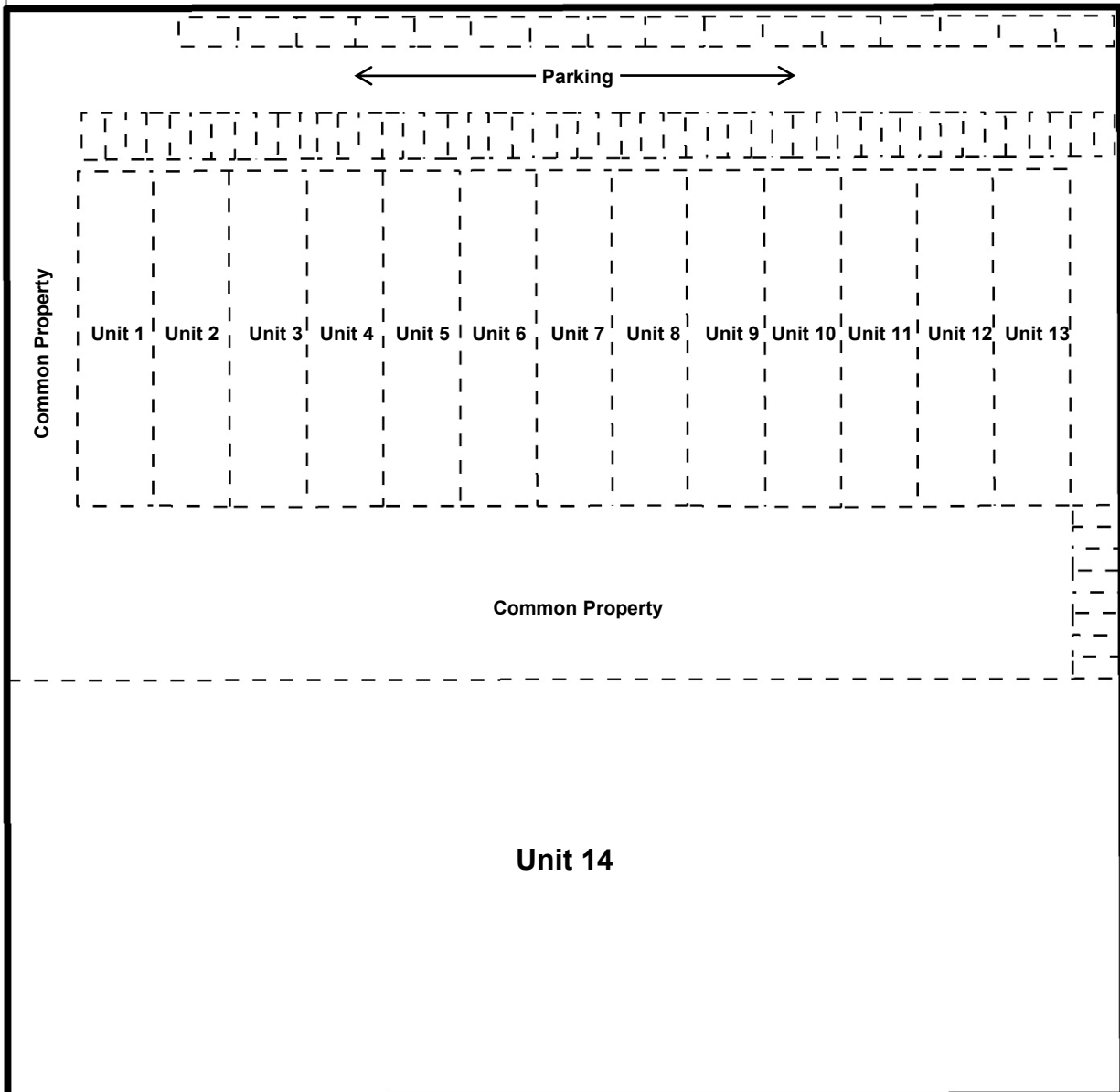


Ranch and Farm	B-1	Highway Business
RF2 Ranch and Farm Two	B-2	General Business
RF3 Ranch and Farm Three	B-3	Limited Business
AH Agricultural Holding	B-4	Recreation Business
F Farmstead	B-5	Agricultural Business
R-1 Residential One	B-6	Local Business
R-2 Residential Two	NRI	Natural Resource Industrial
R-3 Residential Three	HR-1	Hamlet Residential Single Family
DC Direct Control	HR-2	Hamlet Residential (2)
PS Public Service	HC	Hamlet Commercial
	AP	Airport

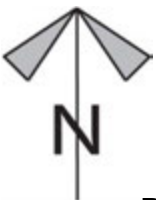
LAND USE MAP

Lot:1 Block:2 Plan:0412838
SW-31-23-28-W04M

Date: Nov 8, 2018Division # 5File: 03331036

**Surveyor's Notes:**

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

Lot:1 Block:2 Plan:0412838
SW-31-23-28-W04M

Date: Nov 8, 2018Division # 5File: 03331036



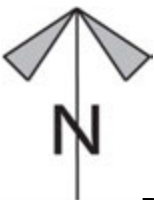
File: 03331036



Note: Post processing of raw aerial
photography may cause varying degrees
of visual distortion at the local level.

AIR PHOTO

Spring 2018



Lot:1 Block:2 Plan:0412838
SW-31-23-28-W04M

Date: Nov 8, 2018

Division # 5

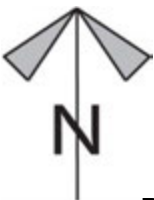
File: 03331036



Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY

Contour Interval 2 M



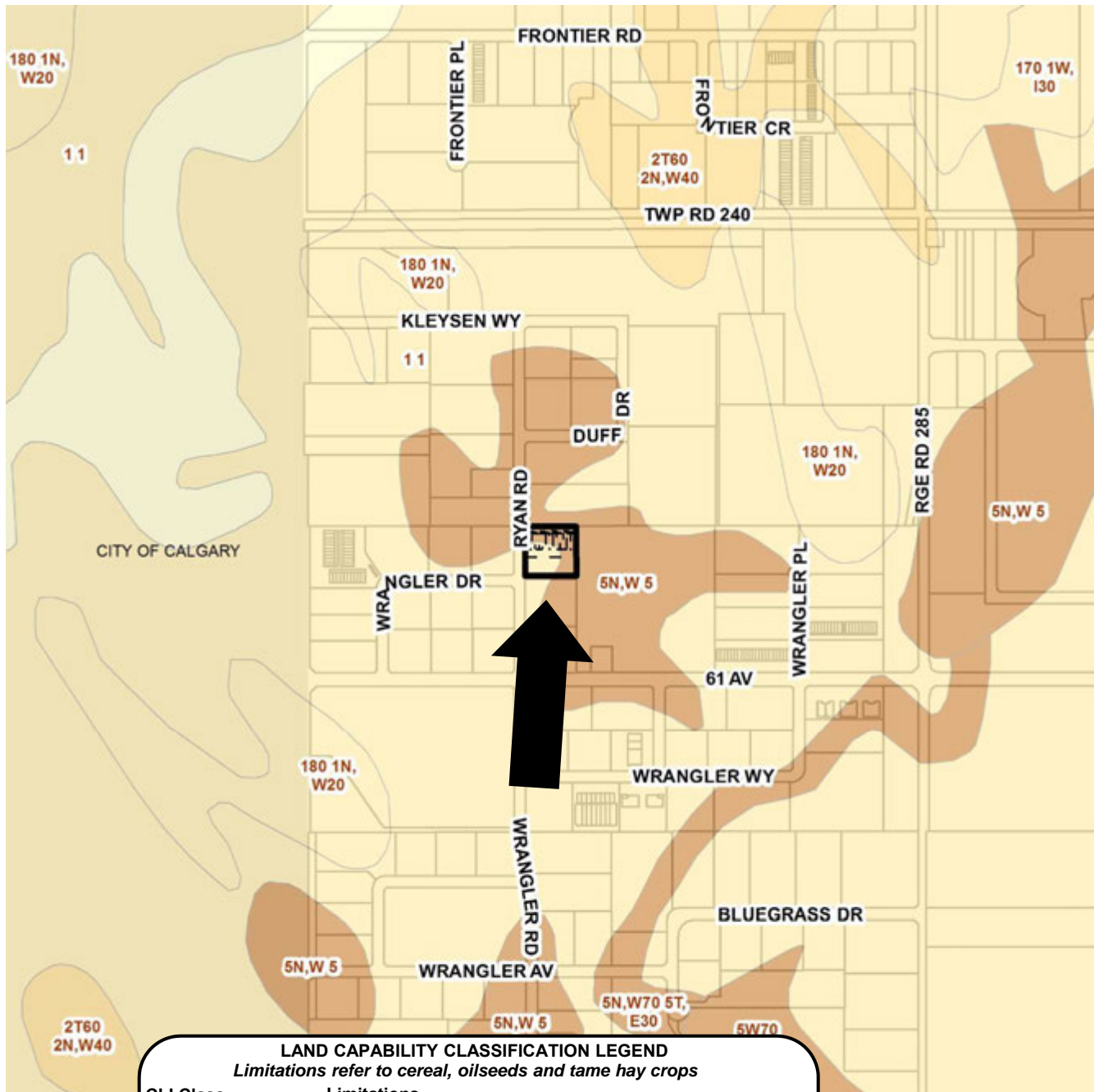
Lot:1 Block:2 Plan:0412838

SW-31-23-28-W04M

Date: July 24, 2018

Division # 5

File: 03331036



LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

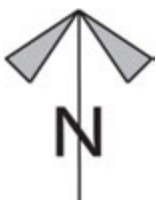
CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high sodicity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

SOIL MAP

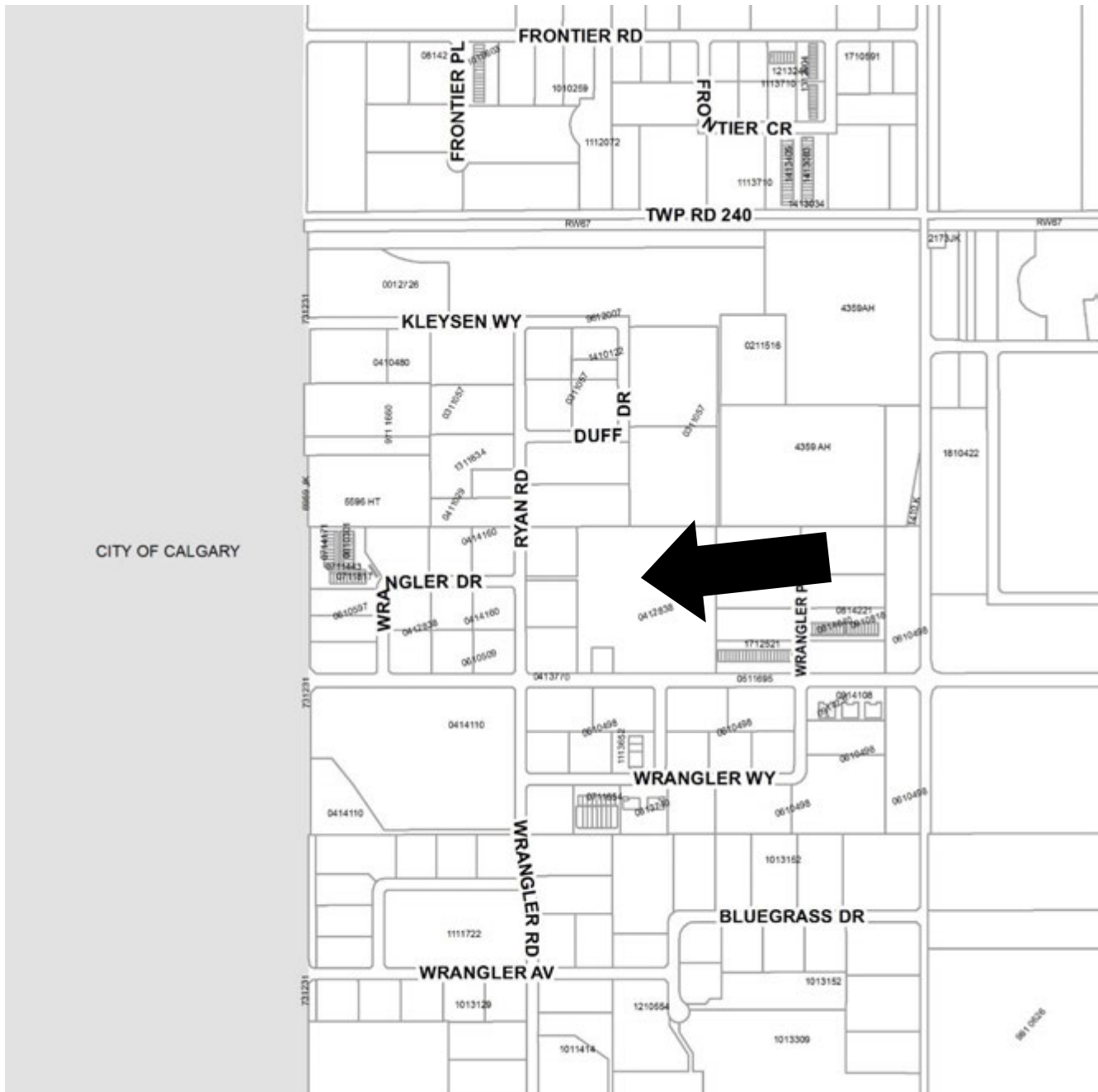


Lot:1 Block:2 Plan:0412838
SW-31-23-28-W04M

Date: Nov 8, 2018

Division # 5

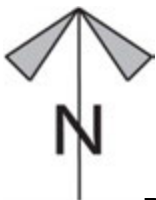
File: 03331036

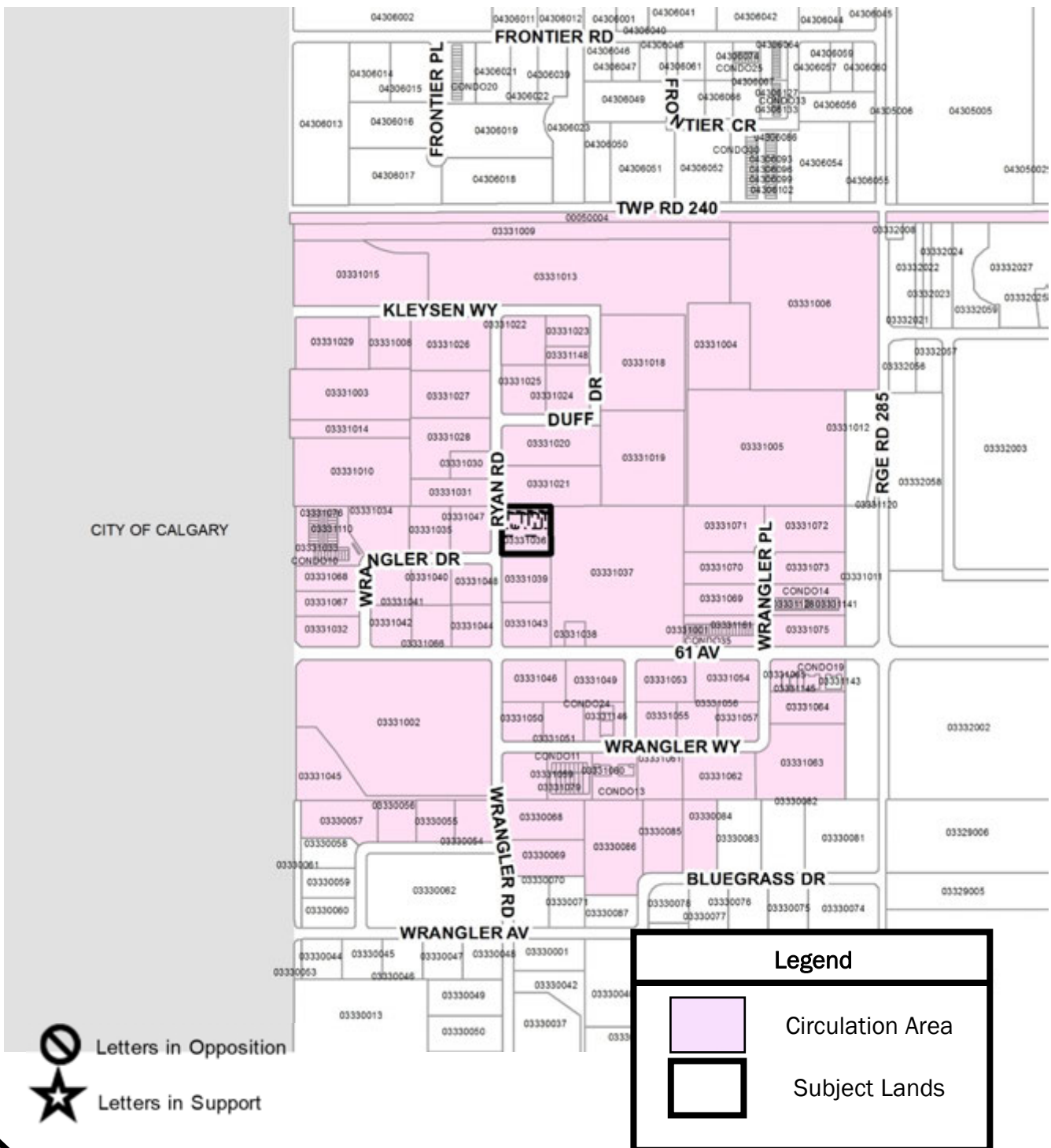
**Legend – Plan numbers**

- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

HISTORIC SUBDIVISION MAP

Lot:1 Block:2 Plan:0412838
SW-31-23-28-W04M

Date: Nov 8, 2018Division # 5File: 03331036



LANDOWNER CIRCULATION AREA

Lot:1 Block:2 Plan:0412838
SW-31-23-28-W04M

Date: Nov 8, 2018

Division # 5

File: 03331036

PLANNING SERVICES

TO:	Subdivision Authority		
DATE:	November 27, 2018	DIVISION:	7
FILE:	07306001	APPLICATION:	PL20180054
SUBJECT:	Subdivision Item – Industrial – Industrial Activity District; outside of a business area		

¹POLICY DIRECTION:

The application was evaluated against the terms of Section 654 of the *Municipal Government Act*, and Section 7 of the Subdivision and Development Regulations, as well as the policies within the County Plan, and was found to be compliant:

- The proposal is consistent with the land use designation approved in April 2018; and
- All technical matters are addressed through the suggested conditions of approval.

EXECUTIVE SUMMARY:

The purpose of this application is to create a ± 2.02 hectare (5.00 acre) parcel with a ± 55.07 hectare (136.09 acre) remainder to accommodate industrial and diesel mechanics, and welding and machine shops. The subject land is located immediately east of the city of Airdrie, and is currently undeveloped and used for the cultivation of cereal crops. The land is generally flat and contains numerous drained/alterd or intact wetlands.

The subject lands are not located within the policy area of an approved area structure plan; therefore, the application was evaluated against the County Plan.

The County Plan identifies specific locations where business development should occur to accommodate the growth of the County's business sectors; the proposed subdivision is not included in one of those locations. Administration evaluated the preceding land use redesignation application in April 2018 and identified that it did not comply with Section 14 Business Development of the County Plan; however, Council approved the application on April 24, 2018, and this proposal is consistent with the redesignation. The proposed subdivision is also consistent with the approved technical reports (Transportation Impact Assessment and Stormwater Management Report).

The County Plan does not contain any specific policies related to the subdivision of the land that would restrict the proposed development from proceeding. Consequently, Administration determined that the proposed subdivision meets policy.

PROPOSAL: To create a ± 2.02 hectare (5.00 acre) parcel with a ± 55.07 hectare (136.09 acre) remainder.	GENERAL LOCATION: Located adjacent to the east boundary of the city of Airdrie, at the northwest junction of Township Road 270 and Range Road 285.
LEGAL DESCRIPTION: Lot 3, Block 1, Plan 1411819, SE-06-27-28-W4M	GROSS AREA: ± 57.10 hectares (± 141.09 acres)

¹ **Administration Resources**
Lindsey Ganczar, Planning Services
Gurbir Nijjar, Engineering Services

APPLICANT: Andre Aubut OWNER: J. Kenneth & Sharon Chitwood	RESERVE STATUS: Municipal Reserves are outstanding and comprise 10% of the lands.
LAND USE DESIGNATION: Ranch and Farm District (RF) & Industrial – Industrial Activity District (I-IA)	LEVIES INFORMATION: Transportation Off-Site Levies (C-7356-2014) are applicable in this case.
DATE SUBDIVISION DEEMED COMPLETE: June 5, 2018	APPEAL BOARD: Subdivision & Development Appeal Board
TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Transportation Impact Assessment, EASL Transportation Consultants Inc., February 27, 2017 • Stormwater Management Plan, Western Water Resources Inc., December 21, 2017 	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> • County Plan (Bylaw C-7280-2013) • Land Use Bylaw (Bylaw C-4841-97) • RVC / City of Airdrie Inter Municipal Development Plan (C-7197-2012)

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 36 adjacent landowners, and Administration received five letters in opposition to the application (see Appendix 'D'). The application was also circulated to a number of internal and external agencies. Those responses are available in Appendix 'A'.

HISTORY:

- | | |
|-------------|---|
| 2018 | Application to redesignate a portion of the subject land from Ranch and Farm District to Industrial – Industrial Activity District to facilitate the creation of a ± 2.02 hectare (± 5.0 acre) parcel with a ± 55.07 hectare (± 136.09 acre) remainder (subject application) was approved by Council. |
| 2013 | Application to redesignate a portion of the subject land from Ranch and Farm District to Industrial – Industrial Activity District and create a ± 3.24 hectare (± 8.0 acre) parcel with a ± 57.76 hectare (± 142.74 acre) remainder was approved by Council. |
| 2006 | Application to redesignate the subject land from Farmstead District to General Business District to accommodate the future development of a heavy equipment storage facility was approved by Council. |

TECHNICAL CONSIDERATIONS:

The application was evaluated in accordance with the matters listed in Section 7 of the Subdivision and Development Regulation, which are as follows:

a) The site's topography:

The proposed lot intended for development is relatively flat with drainage flow to the north. There is an ephemeral wetland located outside of the proposed subdivision boundary that would not impact future development.

Condition: None



b) The site's soil characteristics:

The subject lands contain Class 2 and Class 6 soils with limitations to cereal, oilseeds, and tame hay crop production.

- Class 2: Slight limitations due to temperature, low moisture holding, and adverse texture.
- Class 6: Production not feasible due to excessive wetness and poor drainage.

Condition: None

c) Stormwater collection and disposal:

A Stormwater Management Plan was submitted with the previously approved land use redesignation application. The report provides a conceptual stormwater management plan for the site, which consists of bioswales and rain gardens to attenuate post development stormwater flows (infiltration and evaporation).

An ephemeral wetland exists on the proposed remainder of the parcel along the eastern boundary. The outlets from the proposed rain gardens to the ephemeral wetland are only to be used as emergency spillways; therefore, no further easements or approvals from AEP need to be secured at the time of subdivision or Development Permit.

Condition: None.

d) Any potential for flooding, subsidence or erosion of the land:

As per the Stormwater Management Plan, the applicant would be required to submit detailed engineering drawings for the stormwater management system (SSIP), prepared by a qualified professional, in accordance with the Plan and County Servicing as a condition of future development permit. At that time, the applicant would also be required to provide a sediment and erosion control plan, prepared by a qualified professional, addressing ESC measures to be implemented during construction in accordance with the requirements of the County's Servicing Standards.

Condition: None

e) Accessibility to a road:

A Traffic Impact Assessment (TIA) was submitted with the previously approved land use redesignation application. The TIA analyzed the impacts of the proposed development on the local road network as well as a site access location onto Township Road 270. The TIA concludes that the addition of the proposed development (equipment storage facility), in addition to the existing industrial development on the subject lands, would have minimal impact to the road network, and the existing site access would continue to operate at an acceptable level.

Access to the subject lands is proposed to be provided from the existing paved approach on Township Road 270 to the westerly adjacent parcel. As a condition of subdivision, the applicant would be required to provide an access easement agreement and associated access right-of-way plan to be placed on titles of the adjacent parcels to the west and the subject lands for the use of the existing approach.

Transportation Off-Site Levy

As a condition of subdivision, the applicant would be required to provide payment of the Transportation Off-Site Levy in accordance with the applicable levy at time of approval for the total gross acreage of the lands proposed to be subdivided:

- In accordance with the current bylaw, the estimated levy payment owed at time of subdivision endorsement amounts to \$22,975.

Conditions: 2, 4



f) Water supply, sewage, and solid waste disposal:

Water for any future development would be trucked to the site. Sewage would be held in tanks and trucked off the site.

Condition: None

g) The use of the land in the vicinity of the site:

The surrounding land use is a mix of agricultural and industrial on both County land and adjacent lands within the city of Airdrie. The southwest corner of the quarter section is being developed with industrial uses. Parcels to the north and east are predominantly agricultural, and the Airdrie airport is located to the southwest of the subject lands.

Condition: None.

h) Other matters:

Municipal Reserves

This location has not been identified for future municipal reserve acquisition to support a public park or open space, or development of an active transportation network (including path or trail). Therefore, reserves shall be provided by cash-in-lieu for proposed Lot 1, and deferred on the remainder.

- \$11,000 / acre (as per the appraisal completed by Altus Group dated June 10, 2018)
 $5.00 \text{ acres} \times 10\% = 0.5 \text{ acres}$
 $0.5 \text{ acres} \times \$11,000 = \$5,500.00$

Condition: 5

POLICY ANALYSIS:

Land Use Bylaw

The Industrial – Industrial Activity district has a minimum parcel size of 1.01 hectares (2.50 acres), which would create the subdivision potential for two lots on the subject land.

County Plan

In 2017, a land use redesignation application for the subject lands (PL20170018) was evaluated in accordance with Section 14 *Business Development* of the County Plan, and was found to be non-compliant. The intended use of land and projected future development are not compliant with the County Plan for the following reasons:

- Business development should be directed to specifically identified business areas on Map 1 to complement other businesses, maximize the use of existing infrastructure, minimize land use conflicts, and minimize the amount of traffic being drawn into the rural areas.
- Incremental development of the subject land creates an ad-hoc business area without the benefit of comprehensive planning.

Notwithstanding that assessment, the application was approved in April 2018.

With regard to the current application, the County Plan does not contain any specific policies related to the subdivision of the land that would restrict the proposed development from proceeding. As a result, the proposed subdivision is not inconsistent with the County Plan.

CONCLUSION:

The lands are not located within the policy area of an area structure plan, and the County Plan does not contain any relevant policy related to the subdivision of land in the subject area. As such, the proposal was evaluated in accordance with the Land Use Bylaw:



- The proposal is consistent with the land use designation approved in April 2018; and
- All technical matters are addressed through the suggested conditions of approval.

OPTIONS:

- Option #1: THAT Subdivision Application PL20180054 be approved with the conditions listed in Appendix 'A'.
- Option #2: THAT Subdivision Application PL20180054 be refused as per the reasons noted.

Respectfully submitted,

Concurrence,

“Sherry Baers”

“Rick McDonald”

Executive Director
Community Development Services

Interim County Manager

LG/rp

APPENDICES:

APPENDIX 'A': Approval Conditions
APPENDIX 'B': Application Referrals
APPENDIX 'C': Map Set
APPENDIX 'D': Landowner Letters

APPENDIX A: APPROVAL CONDITIONS

- A. The application to create a ± 2.02 hectare (± 5.00 acre) parcel with a ± 55.07 hectare (± 136.09 acre) remainder within SE-1/4-06-27-28-W4M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The subject lands hold the appropriate land use designation; and
 2. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Transportation and Access

- 2) In order to provide access to Lot 1, the Owner shall:
 - a) Amend the existing access easement agreement (instrument #1411820) to include Lot 1; or
 - b) Provide a new access right of way plan and enter into an access easement agreement with Lot 2 Block 1 Plan 1411819 in order to provide access to Lot 1.

Payments and Levies

- 3) The Applicant/Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.
- 4) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with the Transportation Off-Site Bylaw C-7356-2014. The County shall calculate the total owing:
 - a) From the total gross acreage of Lot 1 as shown on the Plan of Survey.

Municipal Reserve

- 5) The provision of Reserve in the amount of 10 percent of the area of Lot 1, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the land value as listed in the land appraisal prepared by (Black and Associates / 11051 / May 18, 2018), pursuant to Section 666(3) of the *Municipal Government Act*:



- a) A Deferred Reserve Caveat shall be registered on the remainder lands.

Taxes

- 6) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

APPENDIX B: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authorities</i>	
Rocky View Schools	No objection.
Calgary Catholic School District	No comments received.
Public Francophone Education	No comments received.
Catholic Francophone Education	No comments received.
<i>Adjacent Municipalities</i>	
City of Airdrie	<p>Given the information provided, Planning does not support the proposed subdivision application to create a 2.02 hectare parcel with a 55.07 hectare remainder adjacent to the east boundary of the City of Airdrie, at the northwest junction of Township Road 270 and Range Road 285.</p> <p>The intent of the proposed subdivision is to create an “Industrial – Industrial Activity (I-IA)” parcel from existing agricultural lands adjacent to the City of Airdrie municipal boundary, and immediately north of the Airdrie Air Park. The proposed land use described in the application of “Industrial Activity” is not sufficient to provide an adequate understanding of the type of industrial activity, or proposed development concept associated with the application.</p> <p>As there are currently no statutory plans or conceptual schemes pertaining to the subject lands, the advancement of interim industrial land uses and further fragmentation of existing parcels adjacent to the municipal boundary is not supportable.</p> <p>Until a statutory plan, or conceptual scheme is developed for the subject lands, the City of Airdrie cannot adequately review and provide recommendation on interim land uses and subdivision applications adjacent to the City’s boundary without a Development Concept that provides the following information:</p> <ul style="list-style-type: none"> • Initial subdivision plan and site design that facilitate a transition to future urban development; • Interim roadway and servicing infrastructure solutions that facilitates a smooth transition to urban development; • Consideration of the location and timing of future urban development; • A Transportation Impact Assessment • A Biophysical inventory and assessment of environmentally significant areas, natural landscapes and ecological assets.

AGENCY	COMMENTS
<i>Province of Alberta</i>	
Alberta Environment	Not required for circulation.
Alberta Transportation	Not required for circulation.
Alberta Sustainable Resources Development (Public Lands)	Not required for circulation.
Alberta Culture and Tourism (Historical Resources)	No comments received.
Energy Resources Conservation Board	No comments received.
Alberta Health Services	<ol style="list-style-type: none"> <p data-bbox="675 772 1438 930">AHS supports the regionalization of water and wastewater utilities, and in particular supports connection to Alberta Environment and Parks-approved municipal or regional drinking water and wastewater systems whenever possible in the future.</p> <p data-bbox="675 953 1414 1052">Presently, the application indicates that the source of potable water will be hauled. Please note that the Alberta Public Health Act specifies that:</p> <p data-bbox="675 1073 1435 1167"><i>The owner of a cistern that is used to hold a potable water supply intended for consumption by the public shall ensure that the cistern</i></p> <p data-bbox="675 1188 1373 1220"><i>a) is maintained in a clean and sanitary condition, and</i></p> <p data-bbox="675 1241 1390 1272"><i>b) is not used for any other purpose (AR 243/2003s14).</i></p> <p data-bbox="675 1293 1459 1520">Any private sewage systems must be completely contained within the property boundaries and must comply with the setback distances outlined in the most recent Alberta Private Sewage Systems Standard of Practice. Prior to installation of any system, a proper geotechnical assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner.</p> <p data-bbox="675 1541 1459 1871">AHS understands that currently there are existing residential land uses in proximity to the proposed industrial area. We recommend that any development that has the potential to adversely impact surrounding receptors (e.g. noise, odours, emissions etc.) should not be located in close proximity to residential or sensitive land use areas (e.g. child care facilities, schools, hospitals, adult care facilities, etc.). Appropriate setback distances and/or buffers should be developed to ensure that existing and future residential receptors are adequately protected.</p> <p data-bbox="675 1892 1419 1917">Throughout all phases of development and operation, the</p>

AGENCY	COMMENTS
	<p>property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003, which stipulates:</p> <p><i>No person shall create, commit or maintain a nuisance. A person who creates, commits or maintains any condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.</i></p> <p>Applicants should contact Alberta Health Services, Environmental Public Health at (403) 943-2296, or email calgaryzone.environmentalhealth@ahs.ca to communicate directly with a Public Health Inspector regarding any of the requirements outlined above.</p>
<i>Public Utility</i>	
ATCO Gas	No objection.
ATCO Pipelines	No objections.
AltaLink Management	No comments received.
FortisAlberta	<p>We have reviewed the plan and determined that no easement is required by FortisAlberta.</p> <p>FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.</p> <p>Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.</p>
Telus Communications	No objections.
TransAlta Utilities Ltd.	No comments received.
<i>Other External Agencies</i>	
EnCana Corporation	No comments received.
Calgary Airport Authority	Not required for circulation.
Rocky View Water Co-op	Not required for circulation.
Rocky View Gas Co-op	No objections.

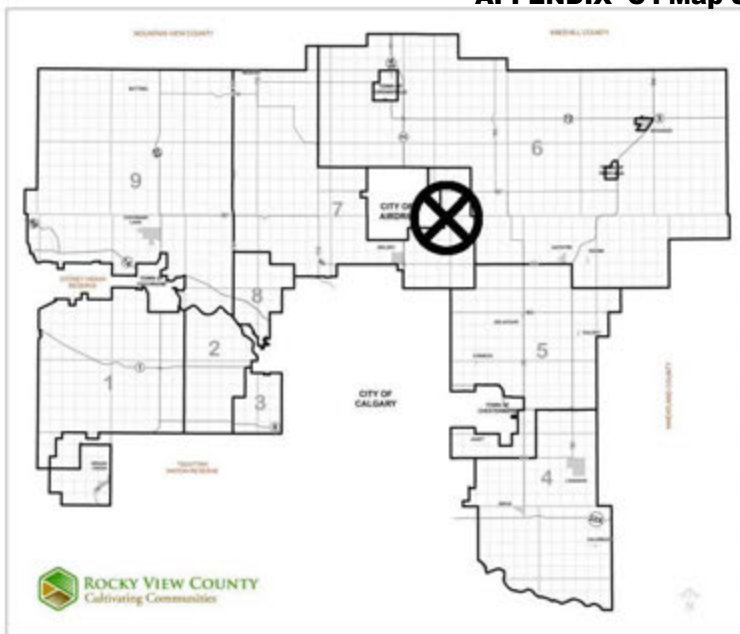
AGENCY	COMMENTS
<i>Rocky View County - Boards and Committees</i>	
Rocky View Central Recreation Board	The Rocky View Central Rec. Board recommends CIL (cash-in-lieu).
<i>Internal Departments</i>	
Agricultural Services	This application is not in alignment with current policy. If approved, the application of the Agricultural Boundary Design Guidelines may be beneficial in buffering the industrial land use from the agricultural lands surrounding it. The guidelines would help mitigate areas of concern including: trespass, litter, pets, noise and concern over fertilizers, dust & normal agricultural practices.
Municipal Lands	<p>This location has not been identified for future Municipal Reserve acquisition to support public park, open space, or development of an active transportation network inclusive of pathway or trail development.</p> <p>The Municipal Lands office recommends taking cash in lieu for reserves owing affecting the parcel identified as Lot 1 and deferring reserves owing for the remainder lot identified as Lot 2.</p>
GeoGraphics	No comments received.
Building Services	Not required for circulation.
Enforcement Services	No concerns.
Fire Services	<ol style="list-style-type: none"> 1. Please ensure that water supplies and hydrants for the development are sufficient for firefighting purposes. 2. Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the Alberta Building Code. 3. The Fire Service also recommends that the water co-op be registered with Fire Underwriters. 4. Please ensure that access routes are compliant to the designs specified in the Alberta Building Code and RVC's servicing standards.
Infrastructure and Operations-Maintenance – Engineering Services	<p>General:</p> <ul style="list-style-type: none"> • The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures; • As a condition of future DP, the applicant will be required to submit a construction management plan addressing noise

AGENCY	COMMENTS
	<p>mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details;</p> <ul style="list-style-type: none"> As a condition of future DP, the applicant shall be responsible to dedicate all necessary easements and ROWs for utility line assignments and provide for the installation of all underground shallow utilities with all necessary utility providers to the satisfaction of the County. <p>Geotechnical</p> <ul style="list-style-type: none"> ES has no requirements at this time; As a condition of future DP, the applicant will be required to conduct an onsite geotechnical investigation, conducted by a qualified geotechnical professional, to make recommendations for the pond liner of the future stormwater pond required to support the future development and all other recommendations (building foundations, site grading, paving, etc). <p>(Base = \$4,595/ac x 5.0 ac = \$22,975)</p> <ul style="list-style-type: none"> As per the TIA, the applicant is proposing to use the existing paved approach onto Twp Road 270 to access the subject lands. As a condition of subdivision, the applicant will be required to provide an access easement and associated access ROW plan to place on title of the adjacent parcels to the west and subject lands for the use of the existing approach. <p><u>Transportation:</u></p> <ul style="list-style-type: none"> As part of the previous land use application, the applicant provided a Traffic Impact Assessment prepared by EASL Transportation Consultants Inc. dated February 27, 2017. The TIA analyzed the impacts of the proposed development on the local road network as well as a site access location onto TWP Road 270. The TIA concludes that the addition of the proposed development (equipment storage facility), in addition to the existing industrial development on the subject lands, will have minimal impact to the road network and the existing site access will continue to operate at an acceptable level. ES has reviewed the findings of the TIA and has no further concern; As a condition of subdivision, the applicant will be required to provide payment of the Transportation Off-Site Levy in accordance with the applicable levy at time of approval for the total gross acreage of the lands proposed to be subdivided. The estimated levy payment owed at time of

AGENCY	COMMENTS
	<p>subdivision endorsement is \$22,975.</p> <ul style="list-style-type: none"> As per the TIA, the applicant is proposing to use the existing paved approach onto Twp Road 270 to access the subject lands. As a condition of subdivision, the applicant will be required to provide an access easement and associated access ROW plan to place on title of the adjacent parcels to the west and subject lands for the use of the existing approach. <p>Sanitary/Waste Water:</p> <ul style="list-style-type: none"> ES has no requirements at this time; In accordance with County Policy 449, it is recommended that commercial and industrial developments shall utilize holding tanks with a trucked service to dispose of wastewater when connection to a regional system is not feasible. <p>Water Supply And Waterworks</p> <ul style="list-style-type: none"> ES has no requirements at this time; ES generally recommends that commercial and industrial developments shall cisterns with a trucked service for the supply of potable water when connection to a regional system is not feasible; As a condition of future DP, the applicant will be required to address all fire suppression requirements for the proposed development in accordance with the requirements of NFPA 1142 and all applicable County standards and bylaws. <p>Storm Water Management</p> <ul style="list-style-type: none"> As part of the previous land use application, the applicant provided a Stormwater Management Plan for the proposed development prepared by Western Water Resources Inc. dated December 21, 2017. The report provides a conceptual stormwater management concept for the site which consists of bioswales and rain gardens to attenuate post development stormwater flows (infiltration and evaporation). ES has reviewed the report and has no further concerns; As a condition of future DP, the applicant is required to submit detailed engineering drawings for the stormwater management system (SSIP), prepared by a qualified professional, in accordance with the Stormwater Management Plan prepared by Western Water Resources Inc. dated December 21, 2017 and County Servicing; As a condition of future DP, the applicant is required to provide a sediment and erosion control plan, prepared by a qualified professional, addressing ESC measures to be implemented during construction in accordance with the requirements of the County's Servicing Standards.

AGENCY	COMMENTS
	<p>Environmental:</p> <ul style="list-style-type: none"> As per the Stormwater Management Plan prepared by Western Water Resources Inc. dated December 21, 2017, an ephemeral wetland exists along the eastern boundary of the area proposed to be rezoned to I-IA. As the outlets from the proposed rain gardens to the ephemeral wetland are only to be used as emergency spillways, no further easements or approvals from AEP need to be secured at the time of subdivision or DP. ES has no further concerns.
Infrastructure and Operations-Maintenance	No concerns.
Infrastructure and Operations-Capital Delivery	No concerns.
Infrastructure and Operations-Operations	If TIA recommends approach upgrades then applicant to contact Road Operations.
Infrastructure and Operations-Utility Services	No concerns.

Circulation Period: June 6, 2018 to June 27, 2018.



Lot:3 Block:1 Plan:1411819
SE-06-27-28-W04M

Date: May 25, 2018

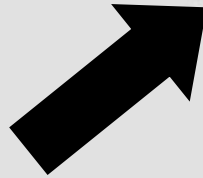
Division # 7

File: 07306001

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CITY OF AIRDRIE



Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

LAND USE MAP

Lot:3 Block:1 Plan:1411819

SE-06-27-28-W04M

Date: May 25, 2018

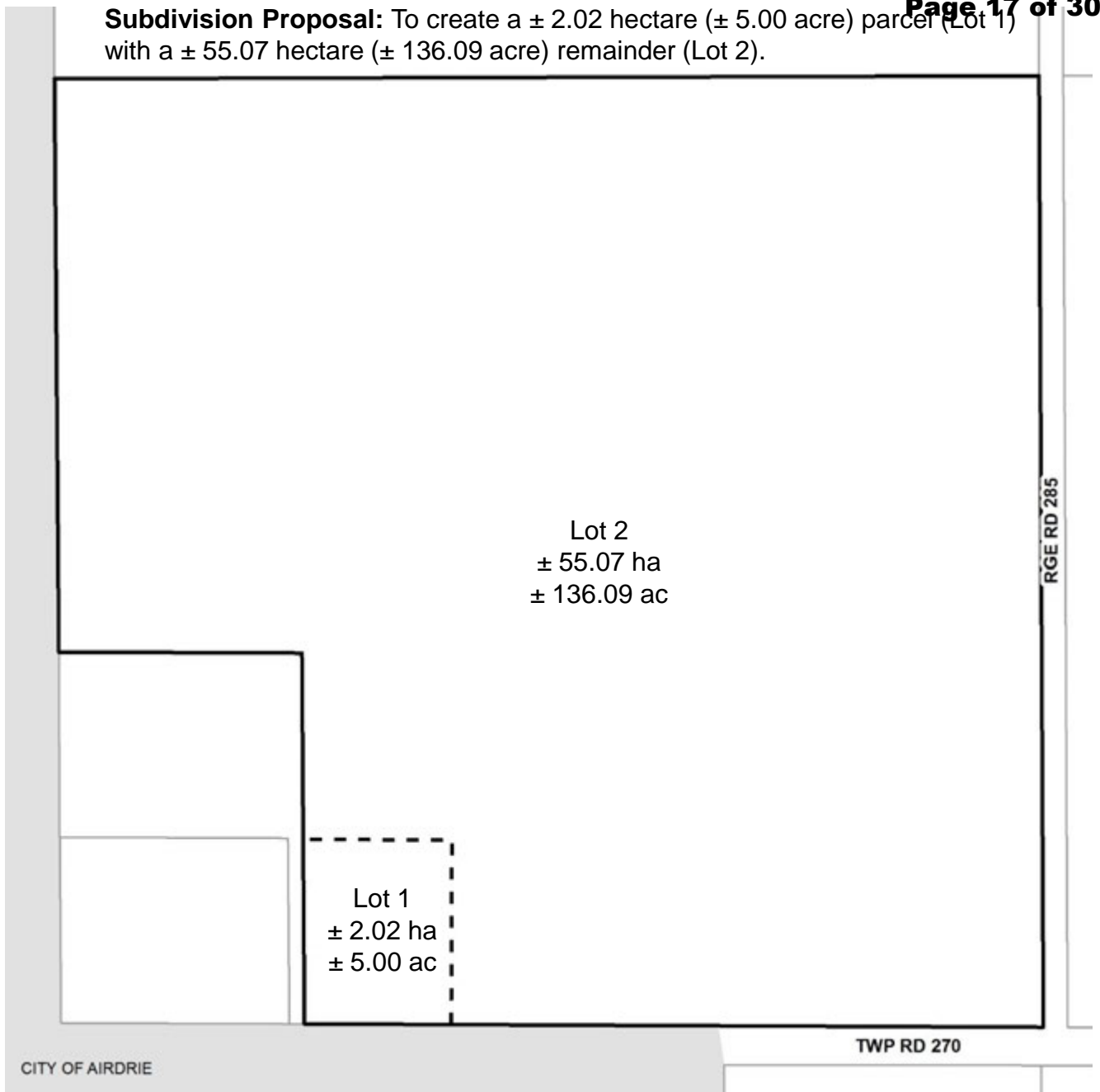
Division # 7

File: 07306001

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Subdivision Proposal: To create a ± 2.02 hectare (± 5.00 acre) parcel (Lot 1) with a ± 55.07 hectare (± 136.09 acre) remainder (Lot 2).



Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

**Lot:3 Block:1 Plan:1411819
 SE-06-27-28-W04M**

Date: May 25, 2018

Division # 7

File: 07306001

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Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY

Contour Interval 2 M



Lot:3 Block:1 Plan:1411819
SE-06-27-28-W04M

Date: May 25, 2018

Division # 7

File: 07306001

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Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2016

**Lot:3 Block:1 Plan:1411819
SE-06-27-28-W04M**

Date: May 25, 2018

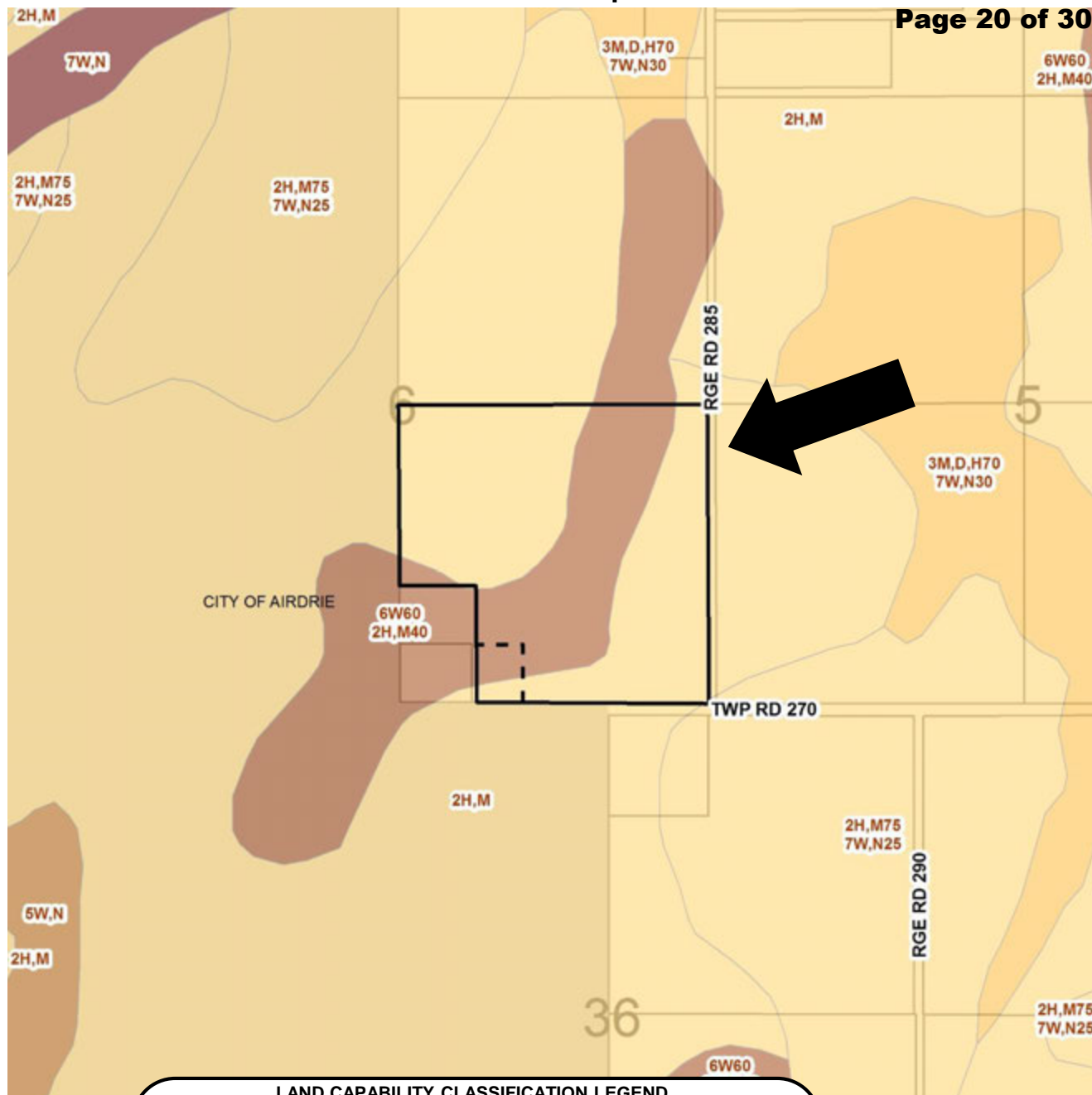
Division # 7

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LAND CAPABILITY CLASSIFICATION LEGEND

Limitations refer to cereal, oilseeds and tame hay crops

CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high sodicity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

SOIL MAP

Lot:3 Block:1 Plan:1411819
SE-06-27-28-W04M

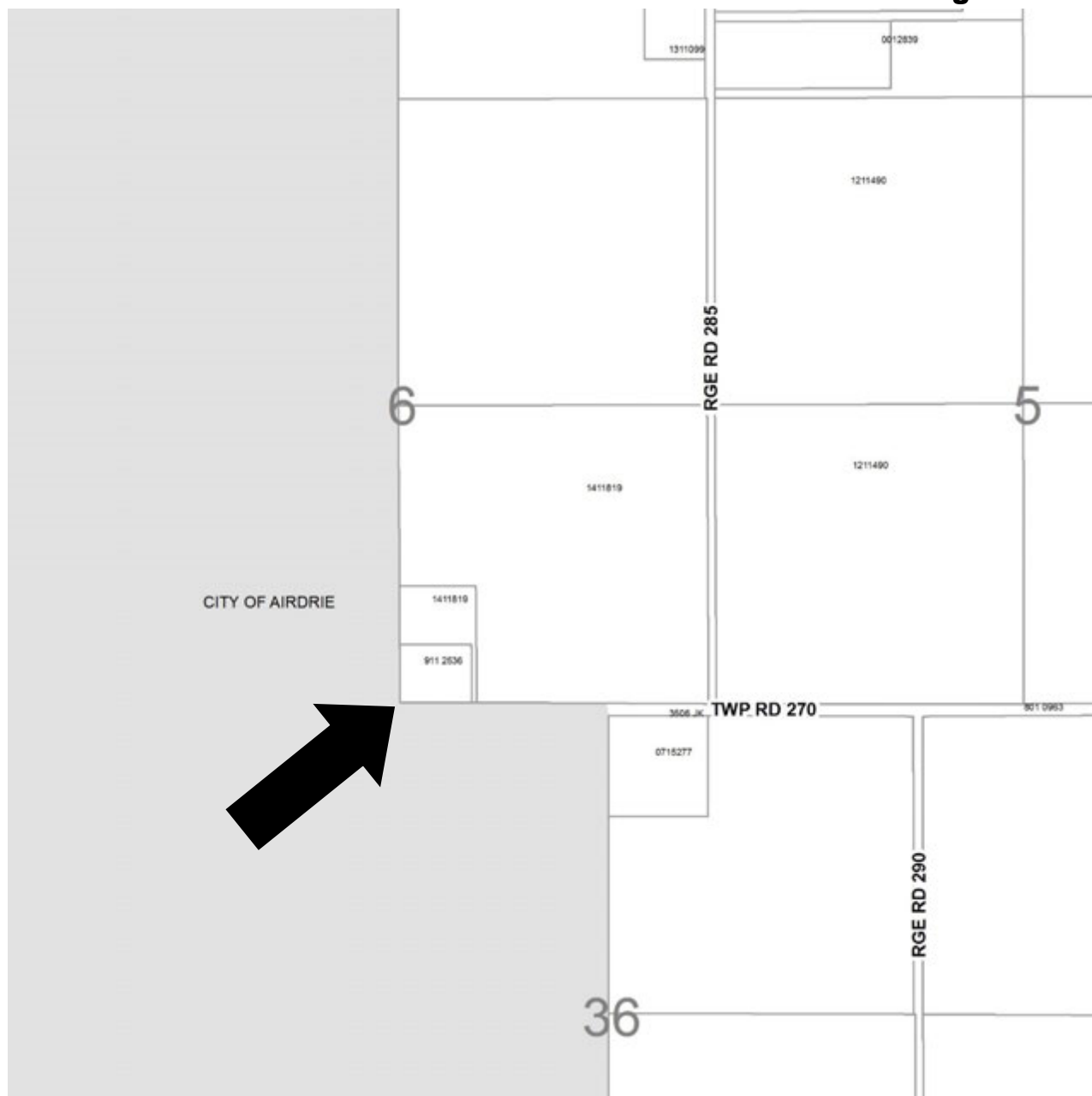
Date: May 25, 2018

Division # 7

File: 07306001

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**Legend – Plan numbers**

- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

HISTORIC SUBDIVISION MAP

Lot:3 Block:1 Plan:1411819

SE-06-27-28-W04M

Date: May 25, 2018

Division # 7

File: 07306001

AGENDA

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From: [REDACTED]
To: [Lindsey Ganczar](#)
Subject: Application number: PL20180054 File Number 07306001
Date: Tuesday, June 12, 2018 8:53:55 PM

Good day Ms. Ganczar,

My comments on any applications that will add to the traffic on RR285 should be denied until Rockyview is able to make the road able to support the current traffic.
As it is now, the road is so dusty that it is a huge safety concern as The visibility is zero when a vehicle is in front of you or passing you.
As the school bus stops to pickup children the flashing lights are invisible due to the dust.
We currently are unable to breathe when we are outside trying to mow our yard when a vehicle flies by.
I do believe Rockyview should address this safety and health concern before adding additional traffic.
I have many times expressed my concerns to Rockyview.
I hope you can direct my ongoing concerns to the appropriate department.
Please feel free to contact me if you have any questions regarding my concerns.
My phone number is [REDACTED] or email [REDACTED]

Kindest regards,
~Debbie Nay

From: [REDACTED]
 To: [Lindsey Ganczar](#)
 Subject: Andre Aubut application File Number 07306001 east Airdrie boundary [REDACTED]
 Date: Monday, June 18, 2018 11:06:59 AM

Re: Application File Number 07306001

Application Number PL20180054

Division 07

To: Lindsey Ganczar

I must express my dismay at the development of yet another parcel at the dividing line between the County of Rocky View and the City of Airdrie within a mile of my back yard.

This area was briefly listed as being "commercial" in the East Airdrie Structure Plan, which has not existed since the City of Airdrie annexed east of Airdrie covering most of that SP. To the south of the proposed application there exists the following:

Balzac East Area Structure Plan

High Plains Approved Conceptual Scheme

Wagon Wheel Industrial Park Approved Conceptual Scheme

Yet at the application location there appears to be only random unplanned and whimsical development. No Area Structure Plan, no Master Site Development Plan, no Approved Conceptual Scheme. No co-ordination with the City of Airdrie. No coordination with the Airdrie Airport which is sometimes held up as being under Federal Control when convenient for anyone's purposes.

The result of this lack of foresightedness is shown in some of the attached pictures which are all taken within a hundred metres of the proposed parcel. We have open septic pits, airplane carcasses, storage yards with 1965 Alta. Gov't. Telephones trucks rusting away, eyesore mounds of wooden pallets, heavy metal fabrication shops in a zoned agricultural area, a crane yard in what was originally applied for as a residential acreage, people living in "security gate" buildings, people living above airplane hangars. Everyone claiming "not my problem". There are only a couple of responsible owners in the vicinity, the helicopter shop and the storage on the north side of the airport. Everything else is just eyesore junk storage. In 10 years it is going to be the equivalent of the Saddle Ridge auto wrecker and junk storage lots in Calgary off Metis Trail.

Some points:

It is really time for the county to put an end to this fiasco and develop some proper plans here.

Is the tax revenue to the county really worth the devaluation that will occur to my family's four houses, not to mention others in the area? We are all located a mile north and county tax assessed at millions of dollars each, without the advantages of being located in, say, Elbow Valley.

Wagon Wheel Park is 5 miles south, and remains full of lots for sale, shuttered fabrication shops, developed but empty condo bays. Isn't it better to continue that planned development? These businesses at the site of the application eventually require gas, electricity, water and sewer and do not have an adequate supply of any of these things. So, in the future, three phase power lines will have to go up, adding to the eyesore, whereas Wagon Wheel already has these, plus nearby fire protection.

I would go so far as to say that the Chitwood family does not need the money from developing this 5 acres. They already made millions selling their land when Airdrie's Kings Heights is located. If they can do that, I also have a half mile of land along the Airdrie annexation. I can nicely develop about a dozen parcels along that side....no I would rather keep my view of the mountains and keep the land in Ag production, thank you anyway.

To summarize from my viewpoint, this bit of land around the Airdrie Airport has been a jurisdictional quagmire for some time. You need to fix it. Start by refusing any further applications until the pressure mounts to do something reasonable, instead of the present “anything-goes-because-there-is-no-plan” concept.

Doug and Monique MacKenzie

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Lindsey Ganczar](#)
Subject: Re: FW: Andre Aubut application File Number 07306001
Date: Friday, June 22, 2018 5:19:57 PM

Hi, we are Doug and Monique MacKenzie's neighbours to the north.

I must agree with the email below. This area represents a failure of Rocky View planning and zoning. We are staunchly against the proposed application. This development needs to go where it belongs: wagon wheel park.

Kelly and Allison MacKenzie
[REDACTED]

On Fri, Jun 22, 2018 at 5:07 PM, Kelly MacKenzie <KMacKenzie@gasliquids.com> wrote:

From: Doug MacKenzie
Sent: Monday, June 18, 2018 11:06 AM
To: LGanczar@rockyview.ca
Subject: Andre Aubut application File Number 07306001 east Airdrie boundary [REDACTED]
[REDACTED]

Re: Application File Number 07306001

Application Number PL20180054

Division 07

To: Lindsey Ganczar

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This area was briefly listed as being "commercial" in the East Airdrie Structure Plan, which has not existed since the City of Airdrie annexed east of Airdrie covering most of that SP. To the south of the proposed application there exists the following:

Balzac East Area Structure Plan

High Plains Approved Conceptual Scheme

Wagon Wheel Industrial Park Approved Conceptual Scheme

Yet at the application location there appears to be only random unplanned and whimsical development. No Area Structure Plan, no Master Site Development Plan, no Approved Conceptual Scheme. No co-ordination with the City of Airdrie. No coordination with the Airdrie Airport which is sometimes held up as being under Federal Control when convenient for anyone's purposes.

The result of this lack of foresightedness is shown in some of the attached pictures which are all taken within a hundred metres of the proposed parcel. We have open septic pits, airplane carcasses, storage yards with 1965 Alta. Gov't. Telephones trucks rusting away, eyesore mounds of wooden pallets, heavy metal fabrication shops in a zoned agricultural area, a crane yard in what was originally applied for as a residential acreage, people living in "security gate" buildings, people living above airplane hangars. Everyone claiming "not my problem". There are only a couple of responsible owners in the vicinity, the helicopter shop and the storage on the north side of the airport. Everything else is just eyesore junk storage. In 10 years it is going to be the equivalent of the Saddle Ridge auto wrecker and junk storage lots in Calgary off Metis Trail.

Some points:

It is really time for the county to put an end to this fiasco and develop some proper plans here.

Is the tax revenue to the county really worth the devaluation that will occur to my family's four houses, not to mention others in the area? We are all located a mile north and county tax assessed at millions of dollars each, without the advantages of being located in, say, Elbow Valley.

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I would go so far as to say that the Chitwood family does not need the money from developing this 5 acres. They already made millions selling their land when Airdrie's Kings Heights is located. If they can do that, I also have a half mile of land along the Airdrie annexation. I can nicely develop about a dozen parcels along that side....no I would rather keep my view of the mountains and keep the land in Ag production, thank you anyway.

To summarize from my viewpoint, this bit of land around the Airdrie Airport has been a jurisdictional quagmire for some time. You need to fix it. Start by refusing any further applications until the pressure mounts to do something reasonable, instead of the present "anything-goes-because-there-is-no-plan" concept.

Doug and Monique MacKenzie

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [Lindsey Ganczar](#)
Subject: File Number 07306001
Date: Monday, June 25, 2018 10:01:08 AM

File Number 07306001
Application Number PL20180054

In regards to this proposed subdivision what is the area structure plan for this area?
The proposed site is surrounded by 90% roads. Do they plan on transporting their loads down the adjacent gravel road with numerous acreages on it?
What type of services does the County plan on providing to these "industrial" lots?
Where are these parcels getting their water from and what type of sewer system do they have? An industrial parcel could have anywhere up to 100 employees and wash bays.

Richard Braun

From: [REDACTED]
To: [Lindsey Ganczar](#)
Subject: ROCKYVIEW PLANNING SERVICES FILE #0736001 / APPLICATION #PL20180054
Date: Tuesday, June 26, 2018 8:41:53 AM

To: Lindsey Ganczar

Date: June 26, 2018

Please accept this written reply in response to your letter dated June 6, 2018 concerning Lot 3 Block 1 Plan 1411819 sub division application.

ROCKYVIEW PLANNING SERVICES FILE #0736001 / APPLICATION
#PL20180054

1. This appears to be a 3rd. parcel out on the quarter section. All 3 are small acreage sub-divisions.
2. Current use is as good farm / crop land, and in close proximity to approximately 15 smaller acreage residential and farm dwellings on Range Road 285.
3. The 2 prior parcels out on this quarter section have been developed as commercial business operations. This has already resulted in increased heavy / commercial traffic on TWP road 270 and also on Range Road 285 North, and associated increase on County road maintenance activity and cost.
4. There is no Area Structure Plan, conceptual scheme, or master site development plan attached to your Landowner letter detailing proposed use or designation for this sub division.
5. It appears that neither the current application, or the previous 2 which have been approved and developed, are in accord with the current Rockyview County Plan, or Land Use Bylaw.
6. Any subdivision or redesignation applications at this location should be preceded by a Rockyview County review to establish the viability of mixing commercial, farm and residential land use designations at this location and surrounding vicinity. A previous Rockyview County Area Structure Plan proposal was never completed or approved that the undersigned is aware of.

These comments are submitted on behalf of 2 landowner properties within the application notification area.

1. Peter Mills - [REDACTED]
2. Peter & Cindy Mills - [REDACTED]

Your reply to the above stated concerns including updates on the application in question is appreciated.

Peter Mills
[REDACTED]